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CIS

TRUST LANDS FOR THE WASHOE TRIBE OF NEVADA AND CALIFORNIA

HEARING

BEFORE THE

SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

S. 1858

TO DECLARE THAT THE UNITED STATES HOLDS CERTAIN LANDS IN TRUST FOR THE WASHOE TRIBE OF NEVADA AND CALIFORNIA AND TO TRANSFER CERTAIN OTHER LANDS TO THE ADMINISTRATION OF THE UNITED STATES FOREST SERVICE

MARCH 8, 1982

WASHINGTON, D.C.

U.S. GOVERNMENT PRINTING OFFICE

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TIMOTHY C. WOODCOCK, *Staff Director*

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TRUST LANDS FOR THE WASHOE TRIBE OF NEVADA AND CALIFORNIA

MARCH 8, 1982

U.S. SENATE,
SELECT COMMITTEE ON INDIAN AFFAIRS,
Washington, D.C.

The committee met, pursuant to notice, at 12:20 p.m., in room 6226, Dirksen Senate Office Building, Senator Dennis DeConcini (acting chairman) presiding.

Present: Senator DeConcini.

Staff present: Tim Woodcock, staff director; Jo Jo Hunt, staff attorney; Max Richtman, minority staff director; Virginia Boylan, staff attorney; John Mulkey, professional staff member; Twinkle Thompson, staff assistant; Elisa Jones, professional staff member; Joe Trujillo, staff assistant; Mary Gereau, legislative assistant; and Bob Faithful, intern.

Senator DECONCINI (acting chairman). The hearing will come to order.

We have only a few minutes left to take up S. 1858, the Washoe tribal land transfer bill, which was introduced by Senator Cannon on November 17, 1981. Senator Laxalt joined as an original cosponsor.

At this time, without objection, I will introduce a copy of the bill into the record.

[The bill follows:]

97TH CONGRESS
1ST SESSION

S. 1858

To declare that the United States holds certain lands in trust for the Washoe Tribe of Nevada and California and to transfer certain other lands to the administration of the United States Forest Service.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17 (legislative day, NOVEMBER 2), 1981

Mr. CANNON (for himself and Mr. LAXALT) introduced the following bill; which was read twice and referred to the Select Committee on Indian Affairs

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A BILL

To declare that the United States holds certain lands in trust for the Washoe Tribe of Nevada and California and to transfer certain other lands to the administration of the United States Forest Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to the provisions of subsection (b), all right, title, and interest of the United States in the following lands (including all improvements thereon and appurtenances thereto, particularly all water rights appurtenant thereto which are presently administered by the Bureau of Indian

Affairs of the Department of the Interior) are hereby declared to be held by the United States in trust for the benefit and use of the Washoe Tribe of Nevada and California and are hereby declared to be part of the Washoe Indian Reservation:

Township 14 North, Range 19 East, Mount Diablo Meridian, Nevada

Section 1: Lot 2 northeast quarter, lot 3; 84.90 acres.

Section 3: West half lot 1 west half lot 2, northeast quarter, east half lot 1, east half lot 2, northwest quarter; 157.14 acres.

Section 14: East half southwest quarter, southwest quarter northeast quarter, southeast quarter northwest quarter excluding any portion lying west of Jack's Valley Road as it presently exists; 160.00 acres.

Section 22: South half north half; 160.00 acres.

Section 23: South half, south half northwest quarter, northeast quarter northwest quarter; 440.00 acres.

Section 24: South half south half; 160.00 acres.

Section 25: North half, east half southeast quarter, northeast quarter southwest quarter; 520.00 acres.

Section 36: West half, north half northeast quarter, southwest quarter northeast quarter, south half southeast quarter, northwest quarter southeast quarter; 560.00 acres.

Total acreage: 2242.04 acres more or less.

Township 14 North, Range 20 East, Mount Diablo Meridian, Nevada

Section 5: The parcel located in the northwest quarter of the northeast quarter is described as beginning at station numbered 1 at the northwest corner of the northeast quarter of the northeast quarter:

thence west 5.11 chains to station numbered 2 a point in the middle of the road leading to Carson;

thence along the middle of said road south 26 degrees 5 minutes west—.51 chains to station numbered 3;

thence south 47 degrees 30 minutes east 5.58 chains to station numbered 4;

thence south 42 degrees 30 minutes west 2.51 chains to station numbered 5;

thence south 64 degrees 30 minutes east 6.66 chains to station numbered 6 a point on the line of the west side of the northeast quarter of the northeast quarter of section five;

thence north 15.27 chains to place of beginning, exclusive of the square half acre adjoining the road at the north end of said tract; the parcel located in the northeast quarter of the northeast quarter is described as beginning at the northwest corner of said tract;

thence south 1277.4 feet to the southwest corner of said tract;

thence east on the south line of said tract 1184.2 feet;

thence north 508.6 feet to a point on the west line of the right-of-way of the proposed extension of the Virginia and Truckee Railway;

thence north 22 degrees 15 minutes west along the line of said right of way 824.7 feet to a point on the north line of said tract;

thence west along said line 879 feet to place of beginning.

And tract of land described as beginning at a point which lies 25.11 chains west of the northeast corner of section five which point is identical with point numbered 2 in the deed of the H. F. Dangberg Land and Live Stock Company to the United States of America:

thence south 26 degrees 05 minutes west, 2.2361 chains;

thence south 63 degrees 55 minutes east, 2.2361 chains;

thence north 26 degrees 05 minutes east, 2.2361 chains;

thence north 63 degrees 55 minutes west, 2.2361 chains to the point of beginning..

And the northwest quarter of the northeast quarter except a parcel described as beginning at station numbered 1 a post at the northwest corner of the northeast quarter of the northeast quarter and running:

thence west 5.11 chains to station numbered 2 a post in the middle of the road leading to Carson;

thence along the middle of said road south 26 degrees 5 minutes west 7.51 chains to station numbered 3 a post in the middle of the road;

thence south 47 degrees 30 minutes east 5.58 chains across the road and along the fence on the north side of Penrods corral to station numbered 4 a post at the corner of said fence;

thence south 42 degrees 30 minutes west 2.51 chains along the fence on the east side of Penrods corral to station numbered 5 a post at the corner of the fence;

thence south 64 degrees 30 minutes east 6.66 chains along the fence to station numbered 6 a post in the line of the fence and in the line of the west side of the northeast quarter of the northeast quarter;

thence north 15.27 chains to the place of beginning; excepting the following parcels:

(1) land lying north of Clear Creek and west of the old V and T Railroad right-of-way in northeast quarter northeast quarter;

(2) land lying north of Clear Creek contained in northwest quarter northeast quarter.

Total acreage: 68.01 acres more or less.

Section 6: Lots 1, 2; 144.13 acres.

Section 18: West half northeast quarter, southeast quarter northeast quarter, northwest quarter southeast quarter; 160.00 acres more or less.

Section 19: South half lot 2 northwest quarter, lot 2 southwest quarter; 98.36 acres more or less.

Township 15 North, Range 20 East, Mount Diablo Meridian, Nevada

Section 32: The east half of the southeast quarter and the southwest quarter of the southeast quarter except the following tract of land located in the southwest quarter of the southeast quarter described as beginning at the southwest corner of the south half of the southeast quarter and running:

thence east along the township line between township 14 and 15, 14 chains and 95 links to the middle of the road on what is known as Penrods Lane;

thence along the middle of said road north 24 degrees 50 minutes east, 14 chains and 28 links;

thence north 57 degrees west along the line of fence on the south side of the road leading to Carson 12 chains and 86 links to the intersection of the north boundary line of said tract of land;

thence west along said line 10 chains to the northwest corner of said tract;

thence south 20 chains to the point of beginning, of section 32 in township 15 north of range 20 east and two parcels of land lying within the northwest quarter of the southeast quarter of section 32 in township 15 north of range 20 east of the Mount Diablo meridian in Ormsby County, Nevada.

Parcel numbered 1 is south of the highway leading from the Stewart Indian School to the Minden-Carson City Highway and is described as beginning at a point at the southeast corner of the parcel, the corner being also the southwest corner of the Missionary lot, said point of beginning and further described as bearing north 52 degrees 43 minutes west, a distance of 2198.00 feet from the southeast corner of section 32:

thence north 89 degrees 50 minutes west, a distance of 900.00 feet to the southwest corner of the parcel, said corner being also the southwest corner of the above described subdivision;

thence north 0 degrees 04 seconds east, a distance of 1102.00 feet to a point at the northwest corner of the parcel and the southerly side of the highway 100-foot right-of-way line;

thence south 51 degrees 32 minutes east, along the southerly side of the highway right-of-way line a distance of 1600.28 feet to a point at the intersection of the highway right-of-way line and the northerly property line of the Missionary lot;

thence north 55 degrees 24 minutes west along the northerly property line of said lot a distance of 430.00 feet to a point;

thence south 0 degrees 04 minutes west, along the west boundary of said lot a distance of 354.40 feet to the point of beginning; said parcel numbered 1 containing 15.51 acres, more or less, except a parcel of land containing 4.00 acres, more or less, which was conveyed to the United States of America by Henry Ross and wife by deed dated January 31, 1889, described as "four acres off the south side of the northwest quarter southeast quarter of section 32, township 15 north, range 20 east" or as described in the correction deed from Emanuel Penrod to Henry Ross and wife dated May 21, 1889, as "Four acres off of the southside of the northwest quarter southeast quarter of

section 32, township 15 north, range 20 east, and being all of that piece and parcel of land lying in said quarter quarter southwest of the road, leading from Penrod's Lane to Carson City, Nevada".

Parcel numbered 2 is north of the highway leading from the Stewart Indian School to the Minden-Carson City highway and is described as beginning at a point at the southeast corner of the parcel, said corner being on the northerly side of the highway 100-foot right-of-way line and the east side of the above described subdivision, said point of beginning being further described as bearing north 41 degrees 18 minutes west, a distance of 2010 feet from the southeast corner of section 32:

thence north 51 degrees 32 minutes west, along the northerly side of the highway right-of-way line a distance of 1690.00 feet to a point;

thence north 0 degrees 04 minutes east, a distance of 35.80 feet to the northwest corner of the parcel, said corner being also the northwest corner of the above described subdivision;

thence south 89 degrees 50 minutes east, along the subdivision line a distance of 1239.50 feet to the northeast corner of the parcel and the west right-of-way line of the Virginia and Truckee Railroad;

thence south 0 degrees 04 minutes west, along the railroad right-of-way line a distance of 44.50 feet to a point;

thence from a tangent whose bearing is the last described course curving to the left with a radius of 1196.28 feet through an angle of 21 degrees 15 minutes 40 seconds a distance of 443.90 feet to a point on the railroad right-of-way line and the east side of the subdivision;

thence south 0 degrees 04 minutes west, along the east side of the subdivision a distance of 655.70 feet to the point of beginning.

And the south half of the southwest quarter and a parcel of land in the southwest quarter of the southeast quarter of section 32 in township 15 north of range 20 east of the Mount Diablo meridian in Ormsby County, Nevada, said parcel described as beginning at the southwest corner of the south half of the southeast quarter and running thence east along the township line between townships 14 and 15 north 14.95 chains to the middle of the road on which is known as Penrods Lane:

thence along the middle of said road north 24 degrees 50 minutes east 14.28 chains;

thence north 57 degrees west along the line fence on the south side of the road leading to Carson 12.85

chains to the intersection of the north boundary line of said tract of land;

thence west along said line 10 chains to the northwest corner of said tract;

thence 20 chains to the place of beginning.

And, the parcel of land in the northwest quarter of the southeast quarter of section 32 in township 15 north of range 20 east of the Mount Diablo meridian in Ormsby County, Nevada, described as four acres off the southside of the northwest quarter of the southeast quarter and further described as being all land lying southwest of the road leading from Penrods Lane to Carson City, containing 4.00 acres, more or less; excepting the following parcels:

(1) land lying west of the V and T Railroad right-of-way contained in the southeast quarter southeast quarter;

(2) southwest quarter southeast quarter;

(3) land lying north of Clear Creek in the southeast quarter southwest quarter.

Total acreage 127.51 acres more or less.

(b) Nothing in this section shall deprive any person or entity of any legal existing right-of-way, legal mining claim, legal grazing permit, legal water right (including any water right with respect to the Carson River as decreed by order of the United States District Court of the State of Nevada on

October 28, 1980, in the matter of the determination of the relative rights in and to the waters of the Carson River and its tributaries in Douglas County, Nevada), or other legal right or legal interest which such person or entity may have in land described in subsection (a).

(c) The lands which are declared to be held in trust and part of the Washoe Indian Reservation under subsection (a) shall be used primarily for agricultural purposes.

(d) Section 164 of the Act of July 14, 1955 (69 Stat. 322, 42 U.S.C. 7474), as amended, shall be applied without regard to the provisions of this section.

SEC. 2. On or before the expiration of one hundred and eighty days from the date of enactment of this Act the Bureau of Indian Affairs shall transfer the administration of the following lands to the United States Forest Service:

Township 14 North, Range 19 East, Mount Diablo Meridian, Nevada

Section 21: Southeast quarter northeast quarter; 40 acres.

Section 28: Northeast quarter northeast quarter; 40 acres.

Total acreage: 80.00 acres more or less.

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Senator DECONCINI. For our first witness we will ask the Washoe Tribe, being represented by the tribal chairman, Robert Frank—are you Mr. Frank?

Mr. FRANK. Yes.

Senator DECONCINI. And with you is Brian Wallace. Are you Mr. Wallace?

Mr. WALLACE. Yes.

Senator DECONCINI. OK, gentlemen. If you will submit your statement for the record and just summarize it in the next 3 or 4 minutes, we will at least get this part of the record completed for you.

STATEMENTS OF ROBERT L. FRANK, CHAIRMAN OF THE WASHOE TRIBE OF NEVADA AND CALIFORNIA, AND BRIAN WALLACE, MEMBER OF THE WASHOE TRIBAL COUNCIL

Mr. FRANK. Thank you, Senator.

In the interest of time, we will submit our statements to you with the supporting documents.

Senator DECONCINI. Without objection, they will appear in the record in full following your oral presentation.

Mr. FRANK. We might request that the legal description within this bill, S. 1858, is not the corrected bill. The companion bill in the House has the corrected legal description, which we would like to supply to your committee.

Senator DECONCINI. Without object, the record then will show the legal description as provided in the House bill is the correct description for S. 1858, in accordance with Mr. Frank's testimony.

Mr. FRANK. The school lands are unfortunately one of the schools that BIA closed last year, which was a boarding school. Our bill, the land that we are requesting is the lands that are adjacent to the school facilities itself. Our bill does not include 50 acres which the State of Nevada is requesting under a 25 CFR 293(a), which gives the Secretary the authority to transfer up to 50 acres. The State intends to use that for State purposes.

The bill which the tribe has submitted—we have met with all the adjoining jurisdictions. We have support documents from the adjoining jurisdictions, including all the other tribes in Nevada.

Also we have got support documents which are in our support statements from the local cities, local Federal Government, BLM, Forest Service, and other entities.

The bill takes into trust the requested lands for the Washoe Tribe. Also, the bill, I might point out, takes great pains to allow the existing jurisdiction that exists. This bill will not change any legal right-of-way or anv legal right that any entity has currently.

Also the bill takes into trust for the Washoe Tribe the water rights which are currently administered by the Bureau of Indian Affairs. These water rights are calculated to be the portion that is within the required land that we are requesting under this legislation.

Also in our intersupport data, there is a detailed water study that details the amount of water needed in all of these areas.

I would like to spend more time, Senator, but in the interest of time we will close.

Senator DECONCINI. Mr. Frank, again, let the record show the only reason this hearing is going to come to a close is because of the standing order on the Senate in relation to the resolution in regards to Senator Williams, and we must close the hearing at 12:30. Let me assure you that your full statements will be presented in the record here, as well as the correction.

[The statement follows:]

PREPARED STATEMENT OF THE WASHOE TRIBE OF NEVADA AND CALIFORNIA PRESENTED BY ROBERT L. FRANK, TRIBAL CHAIRMAN AND BRIAN WALLACE, MEMBER

My name is Robert L. Frank, Chairman of the Washoe Tribe of Nevada and California and appearing with me today is Mr. Brian Wallace, member of the Washoe Tribal Council.

We thank you for the opportunity to appear today in support of S. 1858.

In the early summer of 1980, the Bureau of Indian Affairs announced its intentions to close the Stewart Indian School located near Carson City, Nevada. Closure of the facility was accomplished in September 1980.

The Washoe Tribe of Nevada and California in attempts to become immune to Federal cutbacks in grant and contract dollars, leased all lands associated with the Stewart Indian School, excluding the actual school grounds. The immediate purpose of the Tribe's leasing the lands was to increase its agricultural production capabilities. Use of the Stewart lands for agricultural purposes was felt to be economically advantageous and complimentary to the existing ranching operations of the Tribe. Subsequent detailed planning and economic analysis prepared by the Tribe have verified this as well as indicated the feasibility of utilizing portions of the lands for Tribal housing and Tribal enterprises including housing and recreation facilities. The planning process has revealed that expansion of the Tribal land and water resource base will contribute to the social and economic independence of the Tribe.

To facilitate economic independence, and social and cultural enhancement of Tribal members, the Washoe Tribal Council is requesting that certain lands and all water resources associated with the Stewart Indian School presently administered by the Bureau of Indian Affairs be acquired into trust for the beneficial use of the Washoe Tribe. Recognizing that this process requires detailed testimony and supportive documentation be provided to the U.S. Congress, the Tribe has developed a master plan of use for lands associated with Stewart Indian School. The intent of this master plan is to document the validity of Washoe claims to ownership of lands associated with Stewart Indian School, and to demonstrate the beneficial uses for which the Tribe can utilize the lands.

Conversations with the Nevada congressional delegation indicated that the Washoe Tribe would be required to meet several conditions before the delegation would introduce a bill for consideration. Those conditions included meeting with adjacent landowners to identify and resolve their concerns, meeting with officials from Carson City to discuss the city's needs relative to waters in Clear Creek, gaining support of all other Tribes in Nevada through the Inter-Tribal Council of Nevada, and the preparation of a master plan of land use.

Pursuant to completing the planning document, adjacent landowners were identified and initial meetings were set up to review the Washoe Tribe's intentions relative to drafting legislation and completing the report.

Any concerns by adjacent owners were noted and attempts were made to address concerns in the planning process. Follow up meetings were then held to present the results of the Tribe's planning efforts. In addition, meetings were held with representatives from Douglas County, Carson City, the United States Forest Service, the Bureau of Land Management, and the State of Nevada.

All individuals and entities contacted were asked to submit letters indicating they had reviewed and support the Washoe Tribe's plans. In our efforts to solicit comment from all pertinent owners and jurisdictions, the Tribe has since compiled these comments and have addressed them in the most reasonable manner possible, to the mutual interests of both parties.

The detailed planning process undertaken by the Washoe Tribe for the Stewart Lands, has resulted in a proposed set of land uses which will improve Tribal social and economic conditions, provide needed services and facilities to Carson

City and Douglas County, and be an asset to the people of the State of Nevada.

In closing, we respectfully request the committee's support for the passage of S. 1858.

Thank you.

Senator DECONCINI. We also have a statement from Senator Cannon. Without objection, it will be placed in the record at this point.

[The statement follows:]

PREPARED STATEMENT OF HOWARD W. CANNON, U.S. SENATOR FROM THE STATE OF NEVADA

Mr. Chairman, I appreciate the opportunity to appear before the Committee in support of S. 1858, the bill to transfer in trust some 2,840 acres of public lands to the Washoe Tribe.

The Bureau of Indian Affairs announced early in 1980 that it intended to close the Stewart Indian School which included those lands which are the subject of this bill. For many years that school had educated Indian students from all over the West. Subsequently the school was closed and the lands became surplus to Government needs.

After the school was closed the Washoe Tribe leased the lands for the ranching education program associated with the school, excluding the school grounds themselves. The Tribe has used these lands to increase its agricultural production and that purpose will continue upon enactment of this measure. It will expand the present tribal ranching enterprises now extant in nearby lands.

I believe it is significant that these lands include aboriginal lands used by the Washoe at the time the White man first arrived in Washoe Valley, including some springs considered sacred to the Tribe. This fact lends support to the claim of the Tribe to these lands in preference to other claimants, had there been any. However, the Tribe has taken pains to consult with adjoining landowners and the community of Carson City to insure that there would be no cross purposes. There is no dissent, to my knowledge, to the enactment of this legislation by anyone or any group with interests in the area. The land will be used for purposes for which it has historically been used and will be compatible with other land holdings. Agricultural production is, in fact, the highest possible use of the land at this time.

Mr. Chairman, the Washoe Tribe numbers some 1,500 members of which about 500 live on three established colonies in Nevada and northern California. In attempting to meet the needs of its people, the tribal leadership has developed an ambitious economic development program. An element of that program is the tribal ranching expansion tied to the transfer in trust of these ranch lands. It will go far to promoting self-sufficiency for the tribe through new employment opportunities and new revenue generating ventures. The effort is supported by the Inter-tribal Council of Nevada, the Indian coordinating agency for all Nevada Indians. I believe the Tribe has made a good case for its request for this land. I cannot imagine a group with a better claim from an historical viewpoint. And I urge the Committee to report the measure favorably.

Before I conclude, Mr. Chairman, the Department has recommended changes in the bill to simplify and correct the land description, rearrange several sections and liberalize the uses to which the Tribe may put the land. These changes do not in any way change the intent of the bill or modify the agreed upon land to be transferred in trust. It is my understanding the Tribe fully supports the recommendations of the Department. I wish to advise the Committee of my support for the revisions and for the bill as it will read, as so modified.

Senator DECONCINI. I understand there is a Mr. Mose here from the Governor's office of the State of Nevada. Is that correct?

Mr. MOSE. Yes, sir.

Senator DECONCINI. Do you have a statement?

Mr. MOSE. Yes, sir.

Senator DECONCINI. We will, without objection, put that in the record and show that you were here to present them to the committee, and we thank you.

[The prepared statements follow:]

PREPARED STATEMENT OF ELWOOD MOSE, EXECUTIVE DIRECTOR, NEVADA INDIAN COMMISSION, REPRESENTING THE GOVERNOR'S OFFICE, STATE OF NEVADA

Mr. Chairman, I appreciate the opportunity to present the views of the State of Nevada relative to S. 1858. The Executive Branch of State government agrees with the general intent of the legislation. As the Committee is aware, a companion bill was introduced in the U.S. House of Representatives by Representative Santini. This legislation could provide to the Washoe Tribe of Nevada and California, an opportunity for expansion of various agricultural and other enterprises.

It should be pointed out that the State has applied for an approximate 50 acre parcel encompassing a large part of the Stewart Indian School campus property and buildings. This request has been made under provision which allows the Secretary of the Interior to administratively convey to a State government those properties for public purposes. We have been assured that the request by the Washoe Tribe does not infringe upon this request. However, it should be stressed that, up to this time, we have not received a definite and accurate land description of the properties to be transferred to the tribe via S. 1858 or H.R. 5081.

The State of Nevada, in addition to the 50 acres applied for through the Secretary of Interior, may also be interested in lands that surround the 50 acre parcel, but do not include those properties designated to be transferred in trust to the Tribe. Since this so-called "buffer zone" may be of future use to the State, it is important that the property description which speaks to surrounding areas is accurate. Therefore, we would urge the Committee to make certain that such is the case prior to actual transfer. Secondly, since the State may be accepting transfer of the campus area, it is vital that the water rights associated with the traditional uses for that 50 acre parcel are assured. We would hope that this legislation allows for adjudication of such rights based on traditional uses as determined by the Nevada State Water Engineer. Thirdly, the conveyance of the ranch lands to the Washoe Tribe raises at least the potential for conflict over State fish and game laws. In the past, jurisdictional conflict has arisen over trust lands adjacent to property where the State enforced fish and game laws. The property to be conveyed to the tribe which lies on Clear Creek is a traditional fishing ground for non-Indian and Indian citizens. Any conveyance should allow the continued use of these lands by all sportsmen.

I thank you for the opportunity to present the views of the State before your committee.

PREPARED STATEMENT OF ELWOOD MOSE, EXECUTIVE DIRECTOR, NEVADA INDIAN COMMISSION

Mr. Chairman, I am pleased to submit the commission's testimony on S. 1858. The commission is a state agency which investigates matters affecting the social and economic welfare and well-being of American Indians residing in Nevada.

The Washoe Tribe began seeking opportunities to retain for Indian purposes the properties of the Stewart Indian School soon after the school's 1980 closure by the Bureau of Indian Affairs. The Tribe later determined that the school ranch properties would best serve its purposes. The Washoe developed a master use plan in April 1981 for the sought-after properties and began talks about its proposal with surrounding landowners.

Confusion arose however, because of the varying and somewhat conflicting interests of different organizations in the school campus.

Out of the confusion, the Washoe Tribe's ranch property interest emerged intact and one other primary interest appeared—that of the State of Nevada's interest in administratively acquiring a fifty-acre portion of the school campus.

The Nevada Indian Commission historically has supported the efforts of Nevada tribes to seek and acquire lands; tribal development of which could improve the general welfare and economic condition of reservation Indians. The commission sees that the United State's fluctuating economic conditions and the prevailing reductions in the federal government make it necessary for Indian tribes to develop and sustain their tribal economies as best they can.

The Washoe Tribe has proven astute in improving its economy to date and the commission foresees an accelerated Washoe economic development by its acquisition of the approximately 2800 acres of Stewart ranch properties.

The commission supports the Tribe in its legislation and urges your favorable consideration of S. 1858.

I thank you for being able to present the Indian Commission's testimony before your committee.

Senator DECONCINI. Now, is there anyone else here on that matter?

Mr. SAMPSEL. Yes, sir.

Senator DECONCINI. Yes; do you have a statement regarding this bill, Mr. Sampsel?

Mr. SAMPSEL. Yes; we do.

Senator DECONCINI. Due to time we will submit it. We may want to reschedule to have you come back for questions on this subject by the Chair.

Mr. SAMPSEL. Thank you.

Senator DECONCINI. Thank you, very much.

[The prepared statement follows:]

PREPARED STATEMENT OF ROY H. SAMPSEL, DEPUTY ASSISTANT SECRETARY FOR INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the committee, I am pleased to have the opportunity to present the views of the Department of the Interior on S. 1858, a bill "to declare that the United States hold certain other lands in trust for the Washoe Tribe of Nevada and California and to transfer certain other lands to the administration of the U.S. Forest Service.

We recommend that the committee defer action on this bill.

S. 1858 would transfer 2,840 acres of federally owned land presently administered by the BIA, to the Secretary to be held in trust for the Washoe Tribe of Nevada and California and to be made a part of the Washoe Indian Reservation. All legal existing rights-of-way, mining claims, grazing permits, water rights and other legal rights of interests shall not be disturbed by the transfer. S. 1858 also would transfer 80 acres from the BIA administered land to the U.S. Forest Service.

On February 25, 1982, the President signed an Executive order that would require the payment of fair market value for any Federal lands transferred to Federal agencies and State and local government. He specifically stated in his 1983 budget message that discounted and no-cost conveyances to State and local governments will be phased out. This transfer to the tribe has been under negotiation with the State and this department for over a year. We have not had sufficient time to take the President's new policy into consideration in developing our position on this bill and request deferral of action on the bill until we can do so.

In 1888 and 1889, the Congress appropriated funds for the construction of an Indian school in Ormsby County, Nevada, on 234 acres of land that was donated by the Nevada Indian School Commission to the Federal Government for an Indian school. Through the years, additional property was purchased by the United States Government, mainly for the purpose of adding a farming and ranching unit to the school. The site presently contains a total of 3,067.27 acres of non-contiguous parcels of land. The initial cost to the United States for these lands totals $167,000. The lands are presently valued at approximately $3 million.

The land described in S. 1858 is located in the community of Stewart, Nevada, which is four miles south of Carson City, Nevada and seven miles north of Gardnerville, Nevada. The land was originally a part of the Stewart Indian School complex which was officially closed after the 1980 school term due to declining enrollment and underutilization of the school facilities. The buildings of the school were in need of renovation and repair due to major damage from earthquakes and due to the declining enrollment, the repairs would have not been cost-effective.

In addition to the main campus area which also houses the Bureau of Indian Affairs' Western Nevada Agency, the school property includes ranching and

grazing lands. The school ranch was used for education purposes and for providing food for the students at the school.

After the school closed, the maintenance and safeguarding of the government property was left to the small staff of the Western Nevada Agency. It was later determined that the agency did not have the necessary staff nor the funds to provide the required upkeep and protection of the school property. The Washoe Tribe, which owns trust land in the immediate area, indicated a desire to acquire the ranch lands in trust and, in the interim, agreed to provide the necessary upkeep and protection for the property. A one-year revocable permit was negotiated with the tribe to provide these services, thus allowing the tribe to increase its agricultural capabilities and to compliment its existing ranch operations.

The Washoe Tribe of Nevada has now requested, by resolution adopted by the Washoe Tribal Council on April 14, 1981, that certain Stewart School ranch lands be added to and made a part of the Washoe tribal lands, and be held in trust by the United States for the benefit and use of the Washoe Tribe of Nevada and California.

The Governor of Nevada has requested the Secretary to transfer the Stewart Indian School facilities and property to the State of Nevada. However, the Secretary's authority to transfer administratively the Stewart property (25 U.S.C. 293a) is limited to transferring a maximum of 50 acres of land. A formal application for that amount of the property is presently being prepared by the State of Nevada.

This concludes my prepared statement. I would be happy to answer any questions you may have.

Senator DECONCINI. That will conclude the hearing on this matter for the time being.

The time is 12:30 and the hearing will stand at recess, subject to the call of the Chairman.

[Whereupon, at 12:30 p.m., the select committee stood in recess, subject to the call of the Chair.]

APPENDIX

ADDITIONAL MATERIAL RECEIVED FOR THE RECORD

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

Honorable William S. Cohen
Chairman, Select Committee on
Indian Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This responds to your request for our views on S. 1858, a bill "To declare that the United States holds certain lands in trust for the Washoe Tribe of Nevada and California and to transfer certain other lands to the administration of the U.S. Forest Service."

We recommend that the Committee defer action on S. 1858.

S. 1858 would transfer 2,840 acres of Federally owned land presently administered by the BIA, to the Secretary to be held in trust for the Washoe Tribe of Nevada and California and to be made a part of the Washoe Indian Reservation. All legal existing rights-of-way, mining claims, grazing permits, water rights and other legal rights or interests shall not be disturbed by the transfer. S. 1858 also would transfer 80 acres from the BIA administered land to the U.S. Forest Service.

On February 25, 1982 the President signed Executive Order 12348 that would require the payment of fair market value for any Federal lands transferred to Federal agencies and State and local governments. He specifically stated in his 1983 budget message that discounted and no-cost conveyances to State and local governments will be phased out. This transfer to the Tribe has been under negotiation with the State and this Department for over a year. We have not had sufficient time to take the President's new policy into consideration in developing our position on this bill and request deferral of action on the bill until we can do so.

In 1888 and 1889, the Congress appropriated funds for the construction of an Indian school in Ormsby County, Nevada, on 234 acres of land that was donated by the Nevada Indian School Commission to the Federal Government for an Indian school. Through the years, additional property was purchased by the United States Government, mainly for the purpose of adding a farming and ranching unit to the school. The site presently contains a total of 3,067.27 acres of non-contiguous parcels of land. The initial cost to the United States for these lands totals $167,000. The lands are presently valued at approximately $3 million.

The land described in S. 1858 is located in the community of Stewart, Nevada, which is four miles south of Carson City, Nevada and seven miles north of Gardnerville, Nevada. The land was originally a part of the Stewart Indian School complex which was officially closed after the 1980 school term due to a declining enrollment and underutilization of the school facilities. The buildings of the school

were in need of renovation and repair due to major damage from earthquakes and due to the declining enrollment, the repairs would not have been cost-effective.

In addition to the main campus area which also houses the Bureau of Indian Affairs' Western Nevada Agency, the school property includes ranching and grazing lands. The school ranch was used for educational purposes and for providing food for the students at the school.

After the school closed, the maintenance and safeguarding of the government property was left to the small staff of the Western Nevada Agency. It was later determined that the Agency did not have the necessary staff nor the funds to provide the required upkeep and protection of the school property. The Washoe Tribe, which owns trust land in the immediate area, indicated a desire to acquire the ranch lands in trust and, in the interim, agreed to provide the necessary upkeep and protection for the property. A one-year revocable permit was negotiated with the tribe to provide these services, thus allowing the Tribe to increase its agricultural capabilities and to compliment its existing ranch operations.

The Washoe Tribe of Nevada has now requested, by resolution adopted by the Washoe Tribal Council on April 14, 1981, that certain Stewart School Ranch lands be added to and made a part of the Washoe tribal lands, and be held in trust by the United States for the benefit and use of the Washoe Tribe of Nevada and California.

The Governor of Nevada has requested the Secretary to transfer the Stewart Indian School facilities and property to the State of Nevada. However, the Secretary's authority to transfer administratively the Stewart property (25 U.S.C. 293a) is limited to transferring a maximum of 50 acres of land. A formal application for that amount of the property is presently being prepared by the State of Nevada.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

KENNETH L. SMITH
ASSISTANT SECRETARY

THE STEWART PROPERTIES:

A MASTER PLAN FOR TRIBAL ACQUISITION AND LAND USE

WASHOE TRIBE OF NEVADA AND CALIFORNIA

APRIL 1981

INTRODUCTION

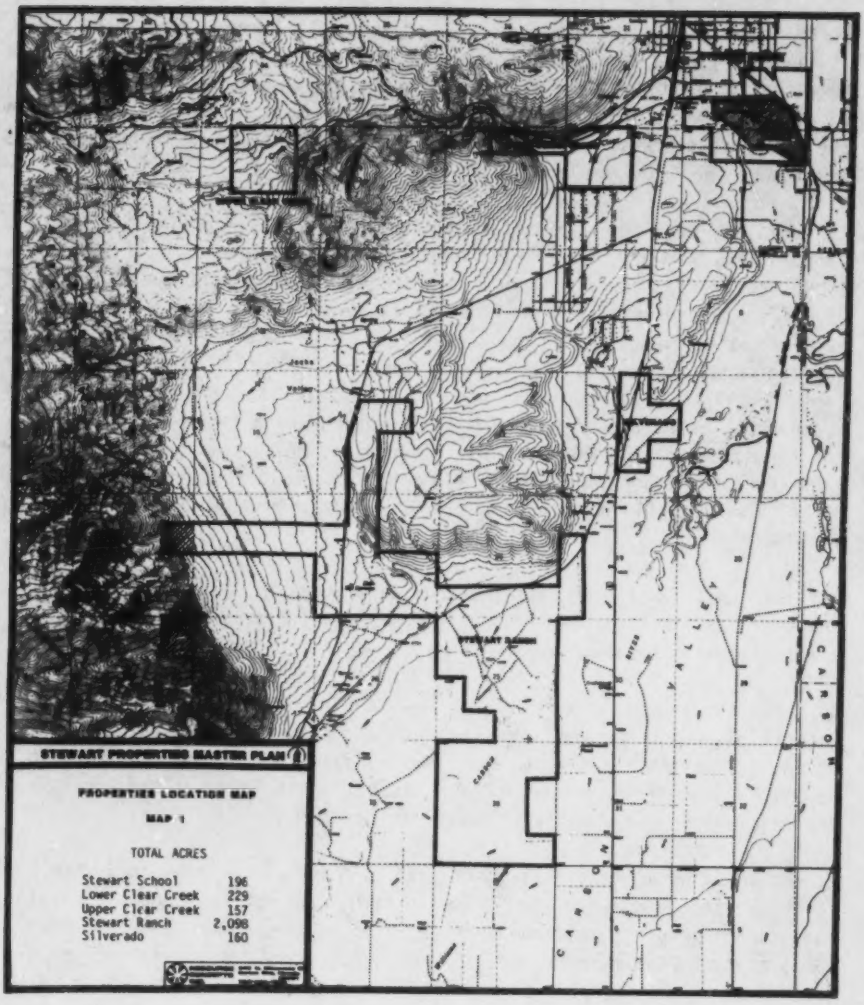
In the early summer of 1980, the Bureau of Indian Affairs announced its intentions to close the Stewart Indian School. Closure of the facility was accomplished in September of 1980.

The Washoe Tribe of Nevada and California, in an effort to become immune to federal cutbacks in grant and contract dollars, leased all lands associated with the Stewart School excluding the School grounds themselves (Map 1). The immediate purpose of the Tribe in leasing the lands was to increase its agricultural production capabilities. Use of the Stewart lands for agricultural purposes was felt to be economically advantageous and complimentary to existing ranch operations of the Tribe associated with its Washoe Ranch.

The Washoe Tribal Planning Department has the responsibility for systematically evaluating various alternatives available to the Tribe for achieving economic independence. The most immediate and favorable method, in the interest of the Tribal Council, is the expansion of the Tribe's land base.

To facilitate economic independence, and social and cultural enhancement of the Tribal members, the Washoe Tribal Council requests that those lands associated with the Stewart Indian School (Map 1) be acquired into trust for the Washoe Tribe. Recognizing that this process requires detailed testimony and supportive documentation be provided to the U.S. Congress, the Tribe has endeavored to develop this masterplan of use for lands associated with Stewart Indian School. This masterplan then is purposed at documenting the validity of Washoe claims to and the viability of Washoe ownership of lands associated with Stewart Indian School (hereinafter referred to as Stewart properties).

Conversations with the Nevada congressional delegation indicate the Washoe Tribe would be required to meet several conditions before the delegation would introduce a bill for consideration. Those conditions included meeting with adjacent landowners to identify and resolve their concerns, meeting with officials from Carson City to discuss that city's needs relative to waters in Clear Creek, gaining support of all other Tribes in Nevada via the Inter-Tribal Council of Nevada, and the preparation of this document.


STEWART PROPERTIES MASTER PLAN
PROPERTIES LOCATION MAP
MAP 1
TOTAL ACRES
Stewart School 196
Lower Clear Creek 229
Upper Clear Creek 157
Stewart Ranch 2,098
Silverado 160

Pursuant to completing this report, adjacent landowners were identified. Initial meetings were set up to review the Washoe Tribe's intentions relative to drafting legislation and completing this report. Any concerns by adjacent owners were noted and attempts were made to address concerns in the planning process. Follow-up meetings were then held to present the results of the Tribe's planning efforts.

In addition, meetings were held with representatives from Douglas County, Carson City, United States Forest Service (USFS), Bureau of Land Management (BLM), the Nevada Department of Transportation, and the Nevada Division of Wildlife. Representatives of Carson City were satisfied with the apparent surplus water which would be available from Clear Creek once demands associated with proposed Tribal needs were met. The USFS, because certain lands the Tribe desired ownership to are within Toiyabe National Forest boundaries, asked the Tribe to consider not pursuing title to lands inside the forest boundary. Pursuant to this desire, this report precludes those lands formerly associated with the Stewart School located in Sections 21 and 28 of Township 14 North, Range 19 East of the Mount Diablo Meridian, Nevada.

All individuals and entities contacted were asked to submit letters indicating they had reviewed the Washoe Tribe's plans. Copies of letters received are included in Appendix A.

On March 19, 1981 at their regular meeting in Las Vegas, the Inter-Tribal Council of Nevada passed a resolution in support of the Washoe Tribe of Nevada and California having lands associated with the former Stewart Indian School held in trust as part of the Washoe Indian Reservation. A copy of the resolution as passed is provided in Appendix B.

It should be noted that this masterplan of land use is concerned with land formerly associated with the Stewart School, but not the school facilities and grounds proper. The land transfer bill to which this report applies and supports is included in Appendix C. Presently, the Inter-Tribal Council of Nevada and the Washoe Tribe are scoping out and refining the many issues associated with the transfer of the Stewart School proper. It is anticipated that the future will yield a separate piece of legislation and supportive report for the transfer of the Stewart School to tribal trust status.

This report is divided into five sections. First, a discussion of the existing tribal characteristics is provided, followed by a description of Tribal land needs. Next, a discussion of Washoe aboriginal and ancestoral claim is offered. Following the discussion of Washoe claims, a description of the lands requested is provided. The final major section of the report documents discussions with landowners adjacent to the Stewart lands and other entities and describes proposed land uses.

EXISTING TRIBAL CHARACTERISTICS

TRIBAL ORGANIZATION[1]

Washoe Tribal Council

The Washoes, numbering approximately 1,450 members now, are organized under a Tribal Council established in 1966. The Council is dedicated to serving as a vehicle for improving the socio-economic, physical and living conditions of the members of the Washoe Tribe. The Council enjoys the full support of its members and has grown in organization, strength and activities since its inception.

The Washoe Tribal Council, a nine member body, is composed of two representatives from the Carson Colony, two representatives from the Dresslerville Colony, two representatives from the Woodfords Colony, one representative from the Reno-Sparks Colony, (representing Washoe Tribal members who reside at the Reno/Sparks Colony) and two off-reservation representatives. This Council is established in accordance with Article III, Section B of the Washoe Constitution and the Council serves as the official local agency for purposes of any planning program for the future.

Major accomplishments and goals of the Washoe Tribal Council are as follows:

1. Consolidation of the Washoe Tribe.

2. Initiation of economic and development programs exclusively designed to meet the needs of the tribal members.

3. Improvement of housing and living conditions of the members of the Washoe Tribe through comprehensive housing and development of facilities program.

4. Cooperation with all other Nevada Indian Tribal Councils in matters of mutual interest and coordination of efforts with the Inter-Tribal Council.

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[1]/This section adapted largely from "Washoe Nation General Plan", prepared by the Murray-McCormick Environmental Group, 1973.

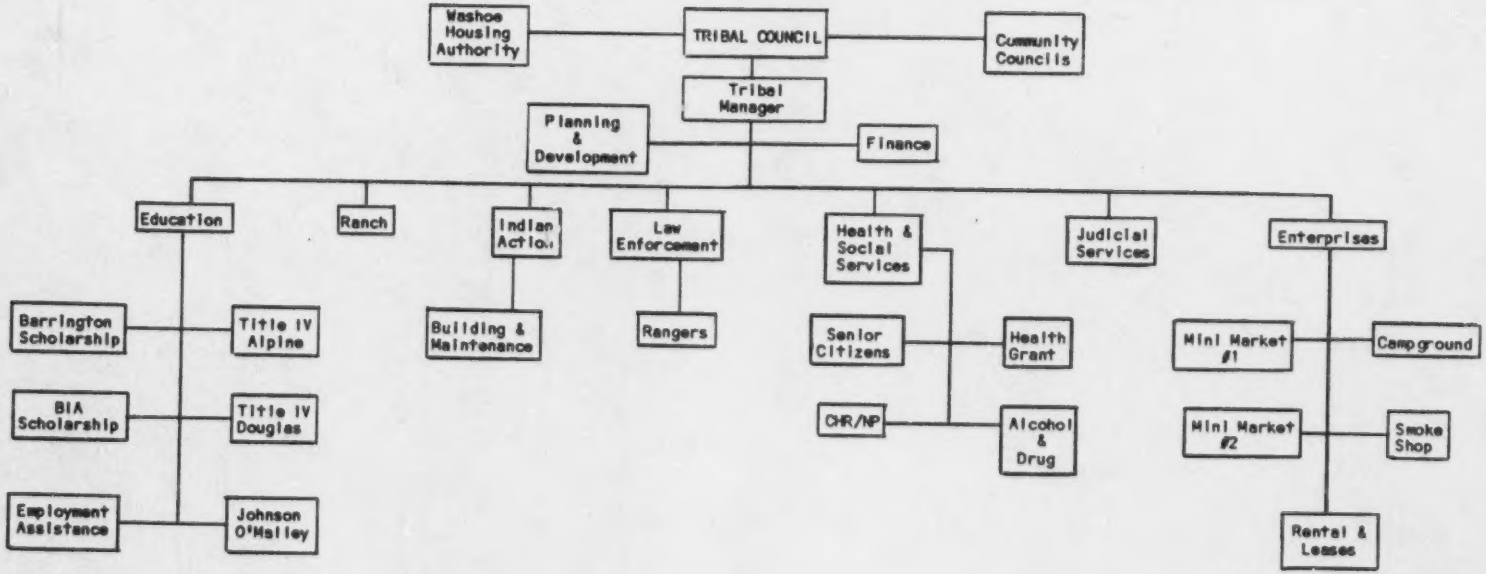
The Washoe Tribe, under the direction of the Tribal Council has established an effective organization for the maintenance and operation of the Washoe Nation. The organizational chart shown in Figure 1 details the management structure utilized by the Tribe. As Figure 1 indicates, the Tribe has the capabilities in both manpower and and organization to effectively manage the Stewart properties. The capabilities include decision making (Tribal Council), management (Tribal Manager), planning (Tribal Planning Department), construction and maintenance (Indian Action), and law enforcement (Tribal Police and Rangers). In addition, the Enterprises section if the Tribe is experienced with day to day business enterprise management.

The Nevada Inter-Tribal Council

The Indian tribes of Nevada are organized under the Inter-Tribal Council. The by-laws and the constitution for the Nevada Inter-Tribal Council were drafted on November 2, 1963, at Schurz and were adopted in December 1963. There are 23 Indian Tribal Councils in Nevada including both colonies and reservations.

The Inter-Tribal Council performs a wide variety of coordination and liaison functions including, but not limited to, improving communications between tribes and reservations, assisting in legal aid, acting as a spokesman for individual concerns, human rights and civil rights and helping in education, training and economic development programs including loan applications. The Inter-Tribal Council also conducts studies on existing situations and living conditions within the reservations, acting as an intermediary in contact with state and federal agencies and in presenting true facts to legislators.

FIGURE 1
WASHOE TRIBE OF NEVADA AND CALIFORNIA
Organization Chart



LAND RESOURCES[1]

Tribal land areas consist of three autonomous and distinct Indian colonies, the Carson Colony, the Dresslerville Colony, and the Woodfords Colony, plus a ranch located on the East Fork of the Carson River adjacent to the Dresslerville Colony which is owned by the Washoe Nation as a whole and a number of allotments in the Pine Nut Mountains which cover approximately 61,000 acres. This last area is fragmented and is commonly referred to as the Pinenut Allotments.

The Carson Colony was established in 1917 on approximately 156 acres of land located at the southwest corner of Carson city. Because of topographical constraints, only 52 percent of the site is considered developable. The land is located west of U.S. 395 but does not abut the highway. This land was purchased for the Washoe Indians pursuant to the terms of Section 5 of the Indian Reorganization Act for a total sum of $3,500.00.

The Dresslerville Colony was also established in 1917 on 39.80 acres of land located approximately six miles south of Gardnerville on a plateau west of the East Fork of the Carson River. Purchase of this land for the Washoe Indians was consummated for $10.00 pursuant to the terms of the Indian Reorganization Act.

The Woodfords Colony, although a part of the Washoe Nation, is not located in the State of Nevada. This colony is located in an area generally near the intersection of California Routes 88 and 89 in Alpine County, which is just inside the California border from Nevada. Until recently, there was no specific area designated for a colony at Woodfords but a colony nevertheless developed on lands alloted to various other Indians. In 1970, Congress passed a special act (P.L. 91-362) which finally granted 80 acres of land for an official colony near Woodfords.

The Washoe Ranch is owned by the entire Washoe Nation and consists of approximately 795 acres of rather fertile land in the Carson Valley. This land was purchased for the Washoe Nation in 1930 and 1940. The ranch consists of the following improvements: a ranch stead with outbuildings, irrigation improvements, improved lands for crops and grazing, certain ranch equipment and other related equipment and machinery.

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[1]/This section adapted largely from "Washoe Nation General Plan", prepared by the Murray-McCormick Environmental Group, 1973.

POPULATION[1]

The population of the Washoe Nation is scattered rather widely. The major population centers are the Carson Colony located at the southwest corner of Carson City, the Dresslerville Colony near Gardnerville, and the Woodfords Colony in Alpine County, California. In addition, a large number of tribal members, presently estimated at approximately 600 persons, live away from the colony, primarily in Reno and the San Francisco Bay Area. Conceivably, many of these people living away from the colonies would like to come back if adequate employment, housing and other facilities were available.

The total population residing within the colonies was 520 persons in 1970. Comparative figures for 1940, 1950, and 1960 were 659, 582, and 553 persons respectively. These figures indicate a fluctuation in the total population with a general declining trend. The figures are further broken down in 5-year age groups for each of the last four decennial census periods as shown on the table. An analysis of these age-specific data indicate the following:

1. Between 1950 and 1970 there has been a steady decline in the number of females of marriageable age.

2. A consistent loss, due primarily to migration of males and females in the labor force population (16-65) is observed. This decline can be attributed to lack of available employment opportunities. Such high incidence of unemployment is caused by:

   a. Lack of skills in other than seasonal employment.
   b. Lack of training.

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[1]/This section adapted largely from "Washoe Nation General Plan", prepared by the Murray-McCormick Environmental Group, 1973.

TABLE 1
WASHOE CENSUS DATA, 1940-1970, ALL COLONIES

Age Groups	1940		1950		1950		1970	
	M	F	M	F	M	F	M	F
65 - Over	26	33	19	15	25	21	20	17
60 - 64	11	1	7	9	9	4	8	8
55 - 59	9	2	10	7	12	9	7	4
50 - 54	25	18	10	5	10	11	7	6
45 - 49	18	15	12	15	15	14	11	9
40 - 44	19	15	20	16	15	14	10	7
35 - 39	21	15	24	24	9	14	17	12
30 - 34	25	24	22	20	22	21	10	16
25 - 29	23	20	26	14	17	13	19	1
20 - 24	26	30	32	25	13	19	22	22
15 - 19	32	25	24	29	38	22	22	40
10 - 14	45	27	32	35	34	27	40	36
5 - 9	37	28	38	29	37	35	39	36
0 - 4	38	43	35	29	34	39	31	23
SUB TOTALS	355	304	310	272	290	263	263	257
TOTALS	659		582		553		520	

c. Lack of available, desirable employment in or near reservations. Desirable employment includes work for Indians on jobs they enjoy and preferably in areas from which Washoes as a whole will benefit such as Washoe owned businesses and industries.

Population projections have been based on consideration of a variety of factors, including anticipated change in employment and housing situation, general trends and straight line projections. High, medium and low projections have been considered and are presented below in Table 2.

TABLE 2

POPULATION PROJECTIONS, WASHOE NATION 1970-2000 A.D.

Year	High	Medium	Low
1970	520	520	520
1975	620	570	540
1980	705	630	560
1985	780	680	580
1990	890	740	600
1995	975	795	625
2000	1080	857	640

EMPLOYMENT AND INCOME[1]

Employment opportunities for Washoe Tribal members are very limited and thus, income is generally low. Figures supplied by the Bureau of Indian Affairs show that the total personal cash income (including welfare, etc.) for all colonies in 1970 was $476,900 or approximately $817 per capita.

An analysis of the labor force characteristics of the population within each colony, reveals high unemployment and underemployment rates. Many among those included as employed have either part-time or seasonal jobs. The employment, unemployment, and underemployment pattern as revealed by the labor force characteristics for the Carson, Dresslerville, and Woodfords colonies are presented in Table 3 below.

TABLE 3
LABOR FORCE CHARACTERISTICS WITHIN COLONIES, 1980

	Carson			Dresslerville			Woodfords		
Category	M	F	Total	M	F	Total	M	F	Total
Population 16 & Over	49	51	100	51	47	98	37	37	74
Not in Labor Force	4	5	9	5	10	15	1	4	5
In Labor Force	45	46	91	46	37	83	36	33	69
Total Employed	29	29	58	19	14	33	20	15	35
Total Unemployed	16	17	33	27	23	50	16	18	34
% Unemployed	33	33	33	53	6	51	43	49	46

Figures released by the Bureau of Indian Affairs for mid 1980 reveal that just over 40 percent of the Tribal population is unemployed.

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[1]/This section adapted largely from "Washoe Nation General Plan", prepared by the Murray-McCormick Environmental Group, 1973.

Income of Indian families within the colonies are generally very low. An analysis of income data for the three colonies indicate that over 50 percent of the families have a total annual income of less than $5,000.00. Income data for the three colonies, are presented in Table 4 below.

TABLE 4
BREAKDOWN OF INCOME WITHIN COLONIES, 1980

	Carson		Dresslerville		Woodfords	
Category	No. of Persons	Percent of Total	No. of Persons	Percent of Total	No. of Persons	Percent of Total
Employed, earning $5,000 or more per year	27	47	12	36	15	43
Employed, earning $5,000 or less per year	31	53	21	64	20	57
TOTAL	58	100	33	100	35	100

As a result of the 1887 Allotment Act, allotments were set up to provide homesteads for the Washoe. It should, however, be emphasized that most water rights and lands which contained water were granted to the white ranchers, even though they were within what was historically Washoe land. The remote and undeveloped state of these lands, especially without water rights, made them less than useful to the Washoe.

TRIBAL ENTERPRISES

If the Washoe Tribe is to achieve economic independence, the infusion of non-tribal dollars into the Washoe economy is imperative. The Washoe Tribe desires, where possible, to increase the profitability of existing enterprises, establish new enterprises which complement existing ones, and establish wholly independent new enterprises all of which provide opportunities for employment of Tribal members.

Those lands formerly associated with the Stewart Indian School (excluding the school facilities and grounds proper) offer the potential for social and economic betterment of the Washoe Tribe of Nevada and California.

The Tribe, with assistance from the Economic Development Administration (EDA), has established two mini-markets as tribal enterprises. The success of the markets has been somewhat limited due to the inability to purchase large quantities of stock at reduced prices. The stores have provided employment and income to several Tribal members. A smoke shop also operated by the Tribe provides additional employment and income opportunities.

The Washoe Ranch has historically not been operated at its full potential. Recently however, the Tribe, again with assistance from EDA, has embarked on an intensive ranch development project. Scheduled for completion this year, ranch improvements will increase productivity, employment opportunities and Tribal income. Intensification of the ranch has also provided employment and training opportunities for Tribal members in construction related work through the Washoe Indian Action program. Future development projects will further these opportunities.

Existing Tribal enterprises provide employment and increased income opportunities to only a small percentage of tribal members. A goal of expanding or adding enterprises is to increase employment and income levels of Tribal members.

As the government continues to recognize a long-standing debt to the Indian for lands and livelihood taken from him, each passing year finds the Tribe with greater opportunities for training and education. There is a unity of will to raise the standard of living for the Tribe. Vision and incentive have given the Washoe an opportunity to alter his role in the community and

put his resources to the best possible use. Training and education opportunities have given a feeling of security to some Indians now, and the future holds promise for more. Tribal efforts at establishing economic independence are slowly gaining ground and each year new Indian owned and operated enterprises are entering into successful competition within the established markets.

To effectively prepare and become immune to federal cutbacks in grant and contract dollars, it has become the responsibility of the Tribal Planning Department to systematically evaluate various alternatives available. The most immediate and favorable, in the interest of the Tribal Council, is the ...nsion of the Tribe's land base.

TRIBAL LAND NEEDS

Increasing the Tribal land base is potentially beneficial to the Tribe in several ways. Additional lands strategically located may facilitate satisfaction of Tribal needs for additional housing. Certainly additional lands may offer increased opportunities for expanding existing Tribal enterprises or initiating new economic development projects. Also, certain spiritual needs could be met through the availability of certain lands. Following are discussions of Tribal needs associated with an increased land base.

EMPLOYMENT AND INCOME

As of mid 1980, over 40 percent of Washoe Tribal members living on reservation were unemployed. This can be attributed both to low skill levels and lack of employment opportunities. A survey of Washoe Tribal members living off reservation in 1979 indicated many members would like to relocate to reservation lands but have not due to a lack of employment opportunities.

Average incomes of Tribal members on the reservation are currently far below regional income levels. Various tribal enterprises have had mixed successes at bringing non-tribal dollars into the Washoe economy.

To date, the Washoe Tribe has been somewhat constrained in its abilities to develop viable economic enterprises. Many of these constraints are associated with the lack of potential, characteristic of much of the tribes existing lands. These lands generally do not offer opportunities for intensive economic development. The addition of lands exhibiting development potential to the Tribal land base will increase Tribal opportunities for economic development resulting in increased employment opportunities.

HOUSING DEMAND

The assessment of housing demand as a potential land use on the Stewart properties will be concerned primarily with Washoe Tribal households desiring to relocate to Carson Colony plus any anticipated demands for housing associated with Tribal population growth and substandard housing replacements needs. A housing study prepared for the Tribe in 1979 indicates that few households are willing or desirous of relocating from one colony to another.[1] In addition, non-tribal demands for housing will be discussed as a possible Tribal enterprise.

1/"Washoe Tribe of Nevada and California, Housing Plan," January 1979.

Washoe Tribe Housing Needs

The Carson Colony, located in Carson City includes 160 acres. Of these lands, 52 percent or roughly 83 acres are suitable for housing because of slope limitations. There are presently 54 housing units located at Carson Colony. The Washoe Housing Authority has recently received funding for an additional 20 units at Carson Colony. Conversations with Colony and Housing Authority representatives indicate that the 20 new units will essentially result in all developable lands on the Colony having been utilized. Any additional housing demands by Washoe Tribal members in the Carson City area will require additional lands.

A survey of Tribal members, both on and off reservation conducted in 1979, indicated that 56 percent of tribal members living off reservation desired to relocate to reservation lands. Of the 56 percent desiring to relocate, 41 percent desired to locate at Carson Colony, 15 percent at Woodfords, 13 percent at Dresslerville, and 15 percent on the Pine Nut allotments with 16 percent undecided as to where they would relocate.

The 56 percent of off reservation members desiring to relocate represents approximately 136 households. Of these, 56 desire to move to Carson Colony, 20 to Woodfords, 17 to Dresslerville, 20 on the Pine Nut allotments, with 22 households undecided as to which colony they would relocate to.

Of the 20 new units previously mentioned as being provided at Carson colony approximately 25 percent or 5 units are being built for relocating presently off reservation members. A balance of 51 households then desire to relocate to the Carson colony (Carson City area).

In addition, the previously mentioned Housing Plan indicates a present need for several housing units for young adults. A total of 14 units was estimated to be demanded through 1981. These units would be duplex and triplex types and would be rented, according to the report.

Other housing needs indentified in the 1979 study include housing for the elderly and expansion of the housing stock to alleviate over crowding. Relative to senior citizen housing the study indicates, and this consultant agrees, that most elderly Tribal members would prefer to live near the Dresslerville Senior Citizen's Center. Therefore, this type of use is not suggested for the Stewart properties.

A summary of housing needs by type of unit presently, five years, and ten years into the future is provided in Table 5. Table 5 excludes needs currently being met through the provision of new units. The table also assumes that all 51 households remaining to desire to relocate to the reservation will do so if housing is available in the following manner:

1981-1984	26 households
1985-1987	25 households
1988-1991	20 households

Long term housing demand (1989-1992) for off-reservation members is assumed to reflect population growth off-reservation as well as new desires to relocate due to improved housing conditions and job opportunities in the area.

The table further assumes that the need for expansion for population growth as youth adult housing will occur as follows:

1981-1984	14 households
1985-1987	20 households
1988-1991	25 households

The 1984-1986 demand for young adult housing based upon a current (1979) distribution of residents by age indicated that 69 individuals were in the 15-19 age group and 46 were in the 20-24 age group. An increasing demand is therefore forecast. In addition, long term demands for young adult housing are expected to increase due to the number of members presently in the 15-19 age group.

TABLE 5
SHORT, INTERMEDIATE AND LONG TERM HOUSING DEMANDS
OF THE WASHOE TRIBE IN THE CARSON CITY AREA

	NUMBER OF HOUSEHOLDS YEAR			
TYPE OF UNIT	1981-1984	1985-1987	1988-1992	TOTAL
Single Family	26	25	20	71
Multi Family	14	20	25	59
TOTAL	40	45	45	130

Non-Tribal Housing Needs

Preliminary estimates by the U.S. Census Bureau indicate that the Carson City population has increased by 189 percent over the 1970 figures. Projections compiled by the State Planning Coordinators Office indicate that the Carson City population will increase by 71 percent by 1985 and 130 percent by 1990 over 1980 levels.

Because the Washoe Tribe desires not to (or cannot) sell any of the lands it has in trust, rented multifamily housing or mobile home spaces is one method of meeting non-tribal housing demands.

Presently there exists a mobile home park adjacent to the western portion of the Stewart Complex parcel. Conversations with the Carson City Planning Department indicate that a demand for mobile home spaces for low income housing exists.[1] A survey of existing mobile home parks by Carson City in January of 1981 revealed that only 30 spaces were vacant, ranging in price from $80 to $155 per month. The majority of vacant spaces were found in parks charging over $130 per month. The planning department indicated the lack of development of additional spaces was associated with high interest rates.

Social and Cultural Needs

The Washoe Tribe of Nevada and California is rich in history and Tribal members have a deep sense of spiritual and cultural qualities. Historically, the Washoe Indians lived on both the western and eastern portions of the Carson Range. Presently, Tribal lands are generally confined to the eastern side of the Carson Range. These lands do not exhibit all characteristics of ancestoral ranges. Opportunities for preservation and enhancement of ancestoral Tribal characteristics among present and future generations of Washoes is limited through the absence of lands exhibiting ancestoral ranges. The addition of lands with these characteristics would satisfy this need.

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[1]/Personal communications with Mr. Walt Sullivan, Carson City Planning Department, March 18, 1981.

ABORIGINAL AND ANCESTORAL CLAIMS

BACKGROUND AND ORGANIZATION

The Washoe Tribe of Nevada and California is "formally organized under a constitution and by-laws ratified by its members."[1] This same constitution "was approved by the Secretary of the Interior January 24, 1936, and a corporate charter was issued to it by the Secretary of the Interior February 24, 1937, and the same was duly ratified by the tribe February 27, 1937."[2] "The Washoe Tribe...is an identifiable group of American Indians whose membership is composed of descendants of an identifiable group of American Indians known as the Washoe Indians whose ancestors exclusively used and occupied certain lands in what are now the States of Nevada and California."[3]

ORIGIN

Ancestors of today's Washoe members inhabited the mountains and valleys of Western Nevada and Eastern California for hundreds if not thousands of years.[4] Originally the Washoe probably lived west of the Sierra Nevadas along with other Hokan-speaking groups such as the Shasta and Pomo. For some reason however, at some point in pre-historic time the Washoe migrated eastward and settled on the eastern slope of the Sierra. There the Washoe established a way of life adapted to the special requirements of the arid environment on the fringe of the Great Basin.

WASHOE LIFE-STYLE

The attributes of the region inhabited by the Washoe dictated many elements of their way of life. Primarily due to environmental factors the Washoe were not a large tribe. The land required a low population density and the number of Washoe never exceeded 3,000 and was quite possibly less. Food resources while not exceedingly abundant were adequate to meet Washoe needs if properly utilized. Since no one single food source could supply all Washoe needs, the Washoe obtained food three ways: gathering, fishing and hunting. Perhaps the need for a low population density or the required mobility to get food made the Washoe exist fairly independently of one another. Most often a band of Washoe consisted of a limited number of families. Each group of Washoe were, in practice, independent of one another, with their own food taking cycle, their own leaders and their own

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1/The Washoe Tribe of the States of Nevada and California v. The United States, 7 Indian Claims Commission 266 (1959).

2/Ibid.

3/The Washoe Tribe of the States of Nevada and California v. The United States, 7 Indian Claims Commission 267 (1959).

4/Statement by Mary Rusco, Nevada State Museum in a personal interview, Carson City, Nevada, January 22, 1981.

network of social relations. "A common relationship between all Washoe speakers was recognized but it carried few obligations with it."[1] In a relatively unhospitable environment small dispersed groups of Washoe existed for hundreds of years utilizing varied resources to survive.

WHITE ENTRY

Mountain men and explorers were among the first whites to enter the land of the Washoe. Numerous trappers crossed Washoe lands in the early 19th century with a documented journey of Jedidiah Smith taking place in 1825. American Army explorer John C. Fremont traversed Washoe lands in 1843. The Fremont party saw and met Washoe and were guided across the mountains by a tribe member. "Fremont was the first white man to write about the Washoe"; in his journal he describes their peaceful nature and describes elements of their life-style.[2]

The early 1850's saw the establishment of white trading posts and settlements in Washoe lands. The present day Genoa was established as Mormon Station in 1851 and Carson County (Carson City) in early 1854. Wagon trains of California bound settlers crossed Washoe lands during the 1850's. The largest and most direct impact of whites upon the Washoe occurred following the discovery of gold in Virginia City, Nevada, in 1859. Some of the 20,000 whites who settled there drove away or killed the game the Washoe needed for food. They also cut down forest of pine nut trees which the Washoe relied upon. The Washoe found their lands taken over by whites and the self-reliance they formerly exhibited was lost; this loss continues somewhat to the present time.

ABORIGINAL LANDS

Entry of whites into the Western Nevada area ended a Washoe domination of lands that had lasted several thousand years. Washoe tradition holds that lands which were the exclusive domain of the Tribe are bordered by the Pine Nut and Virginia Mountain Ranges to the east, the west slope of the Sierra Nevada to the west, Honey Lake to the north and Sonora Pass to the South Within this area "each cave, stream, lake or prominent geographical feature is named and has stories appropriate to it."[2] The fact that these areas have Washoe names is an excellent indication of Washoe presence.

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[1]/James F. Downs, The Two Worlds of the Washoe (New Yort: Holt, Rinehart, 1966), p.4.

[2]/JoAnn Nevers, Wa She Sho: A Washoe Tribal History (Reno, Nevada: Inter-Tribal Council of Nevada, 1976), p. 42.

Reports of initial white settlers in the region give documentation to the region inhabited by the Washoe. Early Mormon settlers of the Carson Valley state that the "Washawa" were scattered through the mountains and valleys on and near the Carson River. Other reports from early white settlers:

> 1856 - Indian Agent Garland Hunt reports that the Washoe live in the Sierra Nevada Mountains but also claim lands near "the Carson".
>
> 1859 - Indian Agent J. Dodge reports to the Superintendent of Indian Affairs for the Utah Territory that the Washoe "number about 900 souls, and inhabit the country along the base of the Sierra Nevada mountains from Honey Lake on the north to the west fork of Walker's River on the south." Among the locations listed as Washoe homes are "Carson, Washoe, and Eagle Valleys, and Lake Bigler (Lake Tahoe).
>
> 1861 - Territorial Governor Nye reports to the Interior Department that the Washoe resided in "the Valley of the Carson and Washoes."
>
> 1864 - Indian Agent Jacob T. Lockhart states "the Washoe Tribe of Indians inhabit the immediate Eastern slope of the Sierra Nevada Mountains and that Carson City is the centre of their country lying North and South."
>
> 1866 - "The Washoes were reported scattered over an extent of country beginning at or near Lake Washoe, and running thence south along the western border of the State, a distance of about 50 miles to the California State Line."[1]

Early ethnographers are additional sources for information regarding the native lands of the Washoe. An 1876 study by Stephen Powers details among other locations Washoes residing "along the Carson River down to the first large canyon below Carson City." A 1939 report by Robert H. Lowie reports that Minden, Gardnerville, Carson City, Reno, and towns in eastern California were included in ancestral Washoe Territory. Reports by other ethnographers such as Barrett (1917), Kroeber (1907), Siskin (1937) and Dixon (1905) all agree that Washoe Territory was in the vicinity of Lake Tahoe, Carson City, and the Carson Valley.

1/The Washoe Tribe of the States of Nevada and California v. The United States, 7 Indian Claims Commission 271 (1959).

Perhaps the definitive source for information regarding Washoe aboriginal lands is the claims case initiated in 1948 by the Washoe Tribe. The Tribe attempted in this case to gain compensation for lands lost due to entry of the white man. As part of the decision in the claims case the Indian Claims Commission decided upon the exclusive aboriginal lands of the Washoe Tribe. They are as follows:

> "Commencing in the north at Adams Peak, thence south along the summit of the ridge between Long Creek and the Feather River drainage across Beckwourth Pass east of Vinton; thence in a westerly direction on the summit of the ridge between the drainages of the Little Truckee and the Feather River to the crest of the Sierra Nevada Maountains just west of Webber Lake; thence in a southeasterly direction along the crest of the Sierra Nevada Mountains passing over Donner Pass and Echo Summit Pass to Raymond Peak; thence in a northeasterly direction to Leviathon Peak; thence northeasterly to Mount Siegal; thence northerly along the summit of the Pine Nut Mountains to Lyons Peak; thence northwesterly, crossing the Carson River. to a point two miles west of Dayton, Nevada, the same being latitude thirty-nine degrees fourteen and one-quarter minutes north (Lat. 39° 14-1/4' North) and longitude one hundred nineteen degrees thirty-seven and three-quarters minutes west (Long. 119° 37-3/4' West); thence north, northwesterly to Mount Davidson; thence following the summit of the Virginia Range, northerly, to its intersection with latitude thirty-nine degrees twenty-eight and one-quarter minutes North (Lat. 39° 28-1/4' North); thence north, northwesterly along a line running towards a point at latitude forty degrees six minutes north (Lat. 40° 06' North) and longitude one hundred nineteen degrees fifty-two minutes west (Long. 119° 52' West) to a point directly east of Adams Peak; thence west in a direct line to the place of beginning."[1]

Within this area decided upon by the Claims Commission lie Carson City and other areas of import to the Washoe Tribe. Included in this area, an area shown by Washoe tradition, historic accounts, and claims cases, lies the Stewart Properties to which this report addresses itself.

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[1]/The Washoe Tribe of the States of Nevada and California v. The United States, 7 Indian Claims Commission 279 (1959).

DESCRIPTION OF LANDS REQUESTED

The Stewart properties to which the Washoe Tribe desires ownership total slightly more than 2,892 acres. The lands are distributed 11 percent in Carson City County and 89 percent in Douglas County, Nevada. The lands as addressed in this master plan have been divided into 5 parcel units. Those include:

Upper Clear Creek
Lower Clear Creek
Stewart School
Silverado
Stewart Ranch

Each parcel unit is shown on Map 1. Following are detailed descriptions of each unit.

UPPER CLEAR CREEK

Located in Douglas County, this parcel is bisected by Clear Creek, a perennial stream with headwaters in the Carson Range, a part of the Sierra Nevada Mountains. At an elevation which ranges from 5,400 feet to 5,750 feet above sea level, the Upper Clear Creek parcel includes 157 acres more or less being described as:

> The west half of Lot 1 and the west half of Lot 2 of the northeast quarter and the east half of Lot 1 and the east half of Lot 2 of the northeast quarter, except a piece of land 16 feet square which is used and set apart for a graveyard, of Section 3 in Township 14 North of Range 19 East of the Mount Diablo Meridian in Douglas County, Nevada.

Vegetative Cover

Existing vegetative cover on the Upper Clear Creek parcel includes approximately 133 acres of woodland and 25 acres of meadow/riparian types (Map 2).

Site Improvements

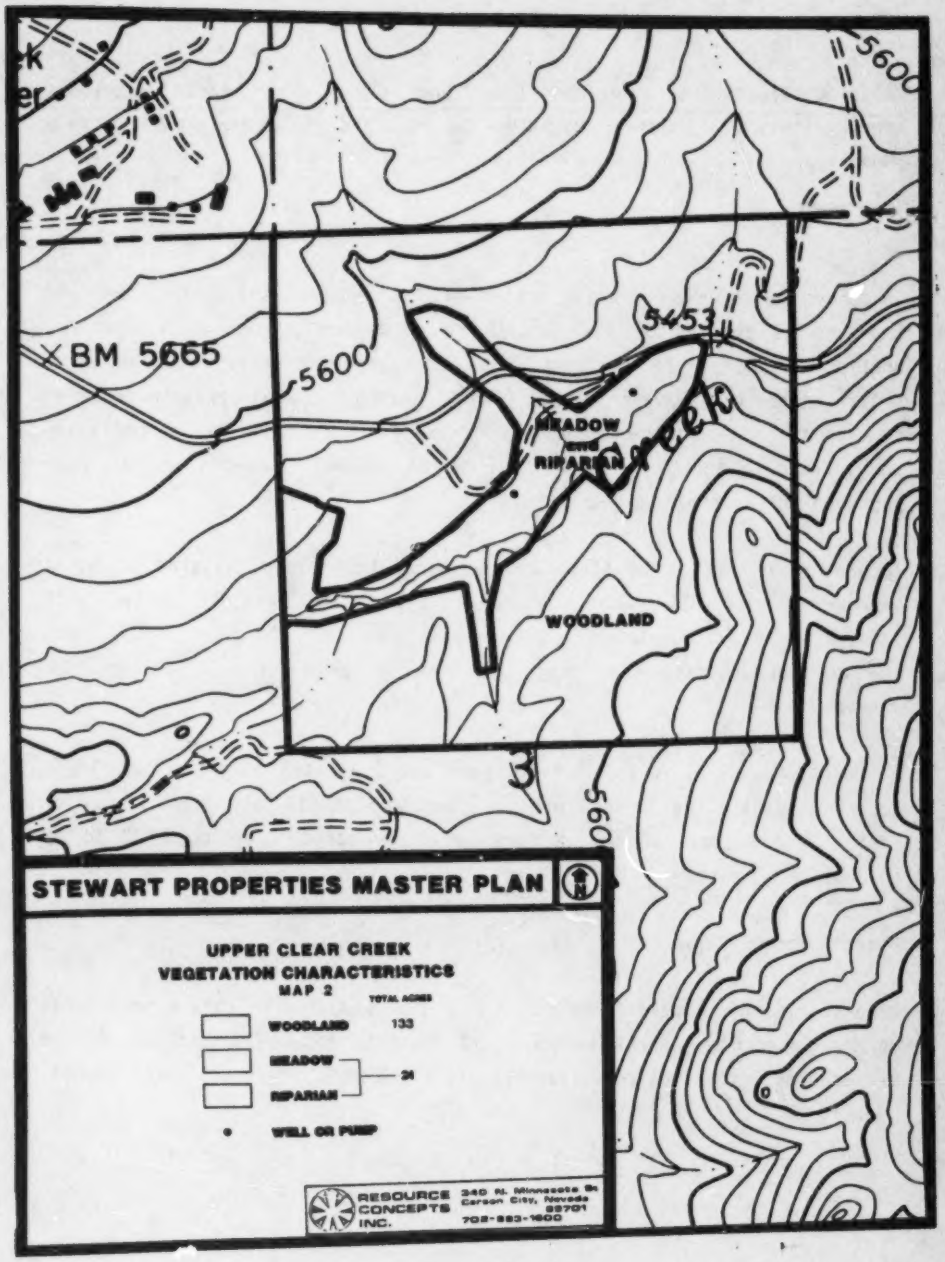
Unimproved dirt roads provide access to the extreme northeast corner and the central portion of the parcel. Access through the entire central portion of the parcel is provided by an improved blacktop roadway which traverses the parcel east to west (old Highway 50). A barbed-wire fence in poor condition is located on various areas of the parcel. Two capped wells are located on the parcel (Map 2). One of the wells appears to have been improved and operable at one time.

According to records on these two wells at the Nevada Division of Water Resources, the wells were drilled in 1965. An 8-inch diameter well 110-feet deep was completed in February of 1965. At the time of drilling, the records indicate that pump tests showed a yield of 5 gallons per minute.

A 12-inch diameter well 97-feet deep was completed in March of 1965. Records indicate the 12-inch well was deepened to 125-feet in September of 1965. A pump test of the deepened well indicated a yield of 30 to 50 gallons per minute.

Present Market Value

Recent sales of comparable properties in the area would indicate that lands on the Upper Clear Creek parcel would be worth between $2,500 and $3,000 per acre or a total value of approximately $435,000 for the 157 acre parcel.


5600
5453
BM 5665
5600
MEADOW
AND
RIPARIAN
WOODLAND
3
5600
STEWART PROPERTIES MASTER PLAN
UPPER CLEAR CREEK
VEGETATION CHARACTERISTICS
MAP 2
TOTAL ACRES
WOODLAND 133
MEADOW
RIPARIAN 26
WELL OR PUMP
RESOURCE CONCEPTS INC.
340 N. Minnesota St.
Carson City, Nevada
89701
702-883-1600

Water Rights

No record of rights with the Nevada Division of Water Resources for ground water associated with the Upper Clear Creek parcel were found.

History of Procurement

The Upper Clear Creek parcel was originally held in fee status and was acquired by the United States for a school site. The deed was dated October 26, 1908 from the Carson and Tahoe Lumber and Fluming Company.

Easements

Easement for road purposes 80-feet in width approved October 12, 1928 in accordance with the provisions of the Act of March 3, 1901 (31 Stat. 1084), in favor of the Nevada State Highway Department, over and across the north half of the tract in Section 3, Township 14 North, Range 19 East.

Easement for telephone line purposes approved February 23, 1944 granting a revocable permit, in favor of the U.S. Forest Service, over and across the site.

Easement for sewage disposal system 80 to 150 feet in width approved November 29, 1967 effective June 21, 1966 for 50 years in accordance with provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the U.S. Forest Service, over and across the site.

Agreements of Use

A revocable was permit issued September 5, 1980 by the United States Department of Interior, Bureau of Indian Affairs (BIA) in favor of the Washoe Tribe of Nevada and California for a period of one year for the purposes of farming, grazing, and maintaining the lands in good condition.

No other agreements of use are known to exist.

Historical Features and Markers

The Carson and Tahoe Lumber and Fluming Company operated a flume in the late 1800's which traversed the site. No evidence of the flume remains today.

No other significant historical features or markers are known to exist at the site.

Archeological and Anthropological Sites

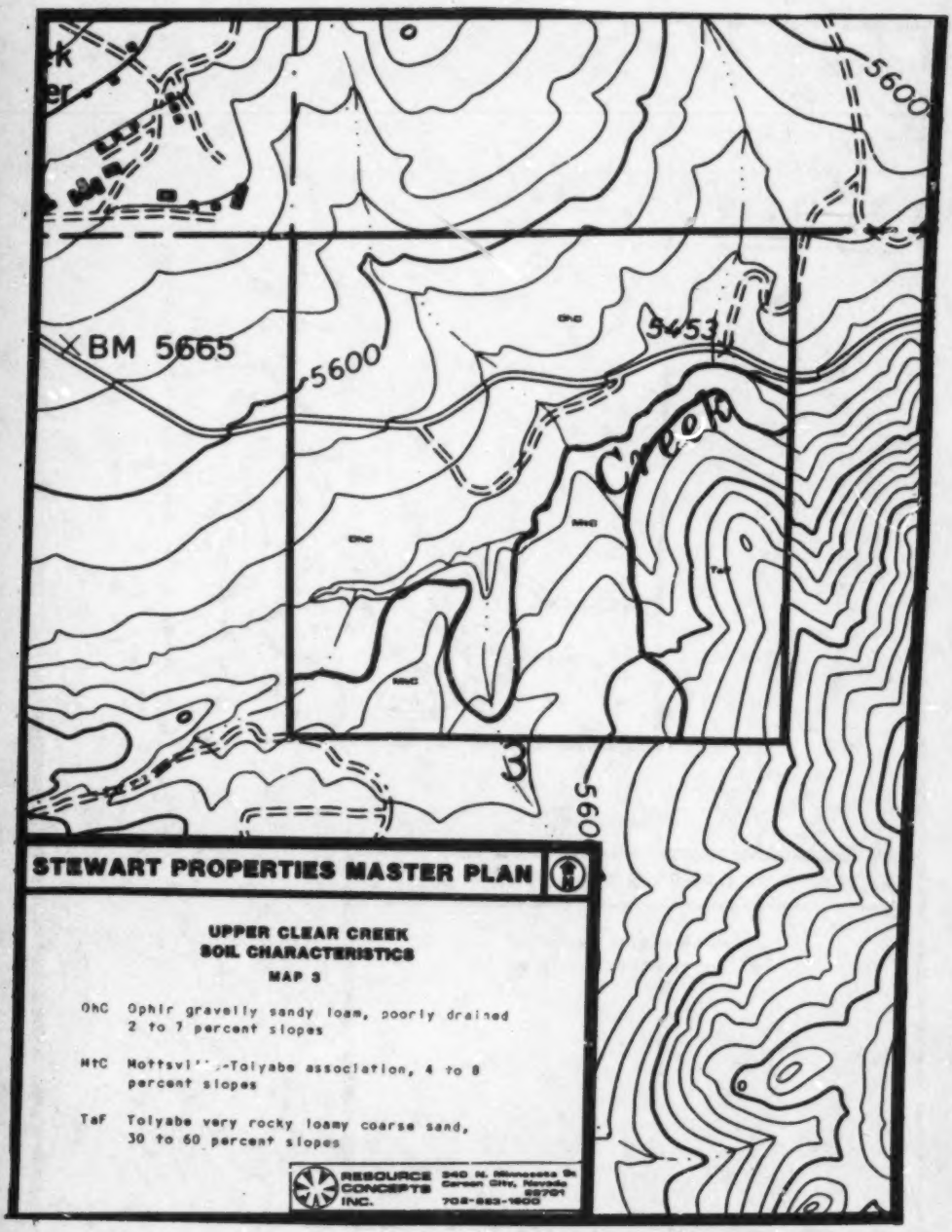
No significant archeological or anthropological sites are known to exist at the parcel.

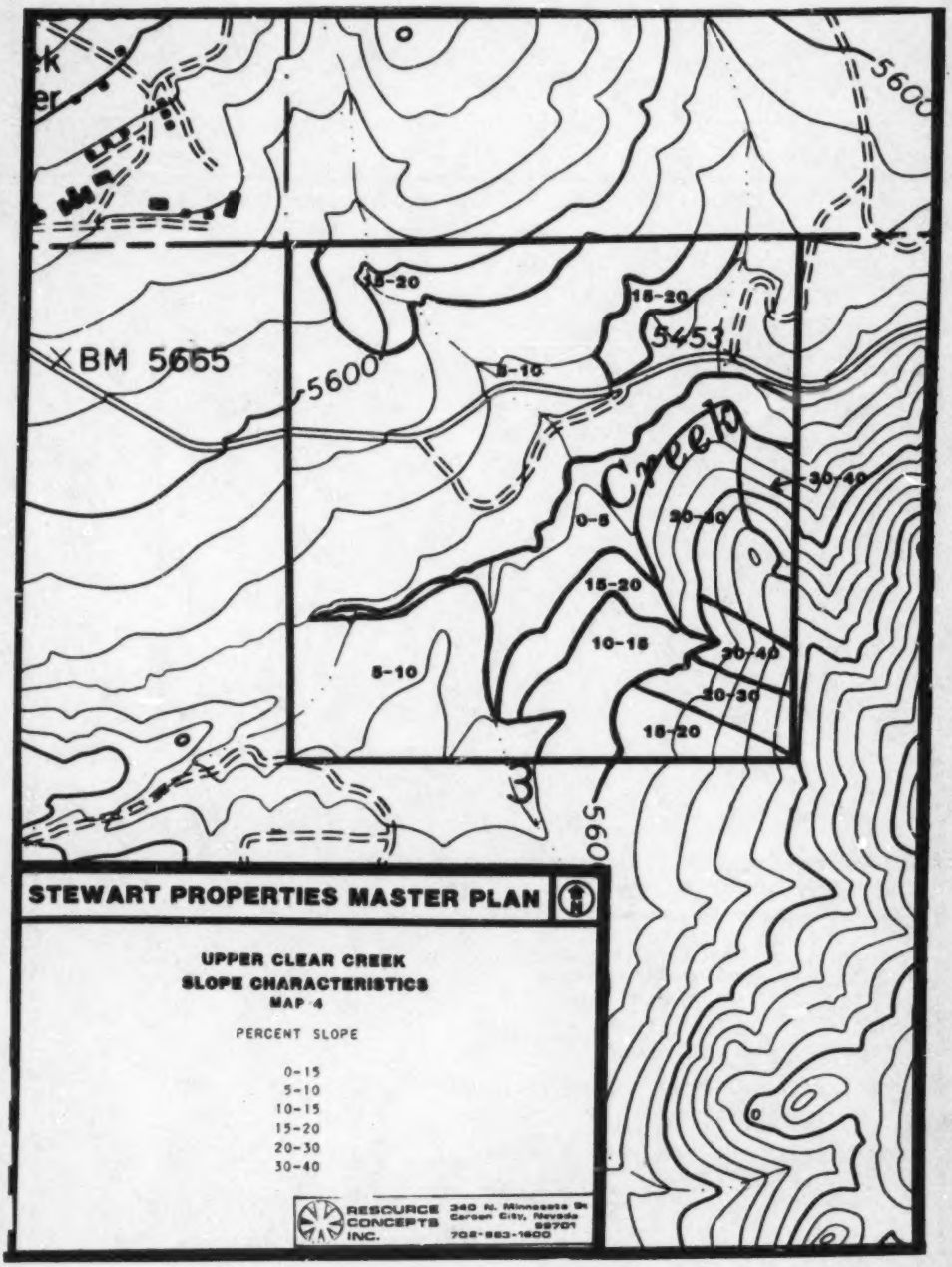
Soil Types and Patterns

Three soil types were identified on the Upper Clear Creek parcel. Those include the Ophir gravelly sandy loam, Mottsville-Toiyabe association, and Toiyabe very rocky loamy coarse sand types distributed on the site as shown on Map 3.

Slopes

Slopes on the parcel range from a low of 5-10 percent to a high of 30-40 percent. Characteristics of slope for the site are shown on Map 4.


5600
BM 5665
5600
3453
Creek
OhC
MtC
5600
STEWART PROPERTIES MASTER PLAN
UPPER CLEAR CREEK
SOIL CHARACTERISTICS
MAP 3
OhC Ophir gravelly sandy loam, poorly drained 2 to 7 percent slopes
MtC Mottsville-Toiyabe association, 4 to 8 percent slopes
TaF Toiyabe very rocky loamy coarse sand, 30 to 60 percent slopes
RESOURCE CONCEPTS INC.
340 N. Minnesota St.
Carson City, Nevada 89701
702-883-1600


BM 5655
5600
5453
Creek
0-5
5-10
10-15
15-20
20-30
30-40
STEWART PROPERTIES MASTER PLAN
UPPER CLEAR CREEK
SLOPE CHARACTERISTICS
MAP 4
PERCENT SLOPE
0-15
5-10
10-15
15-20
20-30
30-40
RESOURCE CONCEPTS INC.
340 N. Minnesota St
Carson City, Nevada
89701
702-883-1600

Flood Plains and Patterns

While none of the Upper Clear Creek parcel has been designated as being within the "100 year" flood plain, the riparian zone along Clear Creek is susceptible to periodic flooding in periods of high runoff. Known flood prone areas associated with the site are shown in Map 5.

Climatic History and Patterns

A good indication of the climatic conditions associated with the parcel is afforded by records compiled by the United States Department of Agriculutre (USDA), Soil Conservation Service for Woodfords, California which is located on the southeastern edge of the Carson Valley at an elevation of 5,671 feet, similar to that of the site. Temperature and precipitation data for Woodfords is shown in Table 6.

TABLE 6

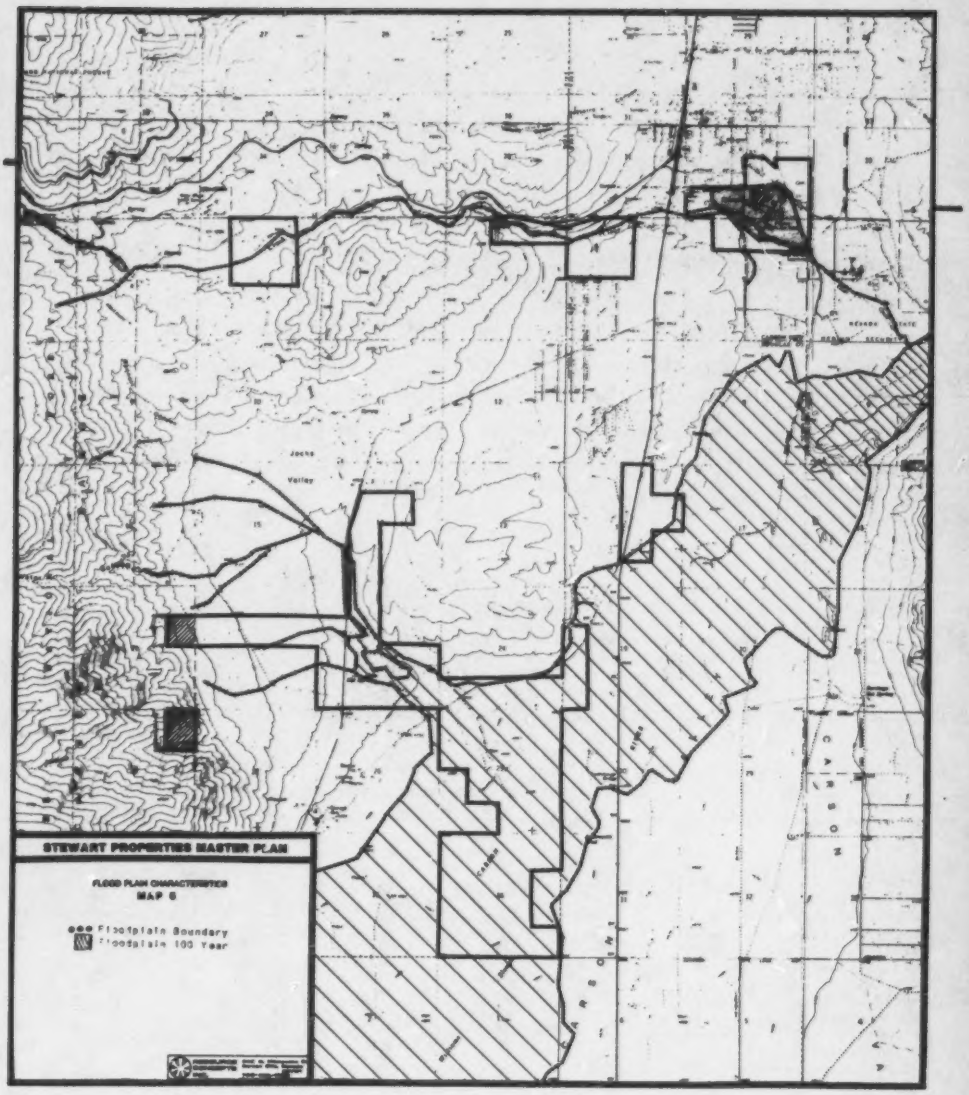
TEMPERATURE AND PRECIPITATION DATA, WOODFORDS, CALIFORNIA

(Data from the station at Woodfords, California, elevation 5,671 feet; based on records for the period 1937-52)

Month	Temperature				Precipitation	
	Average daily Maximum	Average daily Minimum	Record Highest	Record Lowest	Average Total	Average Snowfall
	°F.	°F.	°F.	°F.	In.	In.
January	42.7	21.0	67	-10	3.60	22.6
February	45.6	23.4	71	-6	2.57	22.7
March	50.2	25.9	70	2	2.51	21.0
April	59.2	32.7	79	12	1.05	5.4
May	66.7	39.1	86	17	.72	1.3
June	74.2	44.8	95	24	.46	.3
July	84.9	52.7	96	37	.34	0
August	83.9	51.5	98	32	.30	(1)
September	76.5	45.8	92	24	.25	.1
October	64.3	37.8	82	14	1.53	.9
November	51.9	28.6	78	0	2.78	6.0
December	45.5	24.7	70	0	3.95	19.2
Year	62.1	35.7	98	-10	20.06	99.5

[1]/Trace

Source: USDA, Soil Conservation Service, 1971


STEWART PROPERTIES MASTER PLAN
FLOOD PLAIN CHARACTERISTICS
MAP 5
Floodplain Boundary
Floodplain 100 Year
Jacks
Valley

The growing season at the site can be expected to average 129 days. While wind speeeds in excess of 65 miles per hour have been experienced in Carson Valley, the predominance of woodlands on the parcel can be expected to keep ground wind speeds at a low level.

Zoning

Adjacent zoning to the west, south and east of the site in Douglas County is presently A-4 (Forest, Farm, and Open Reserve). To the north of the site in Carson City the existing zoning is CR (Conservation Reserve).

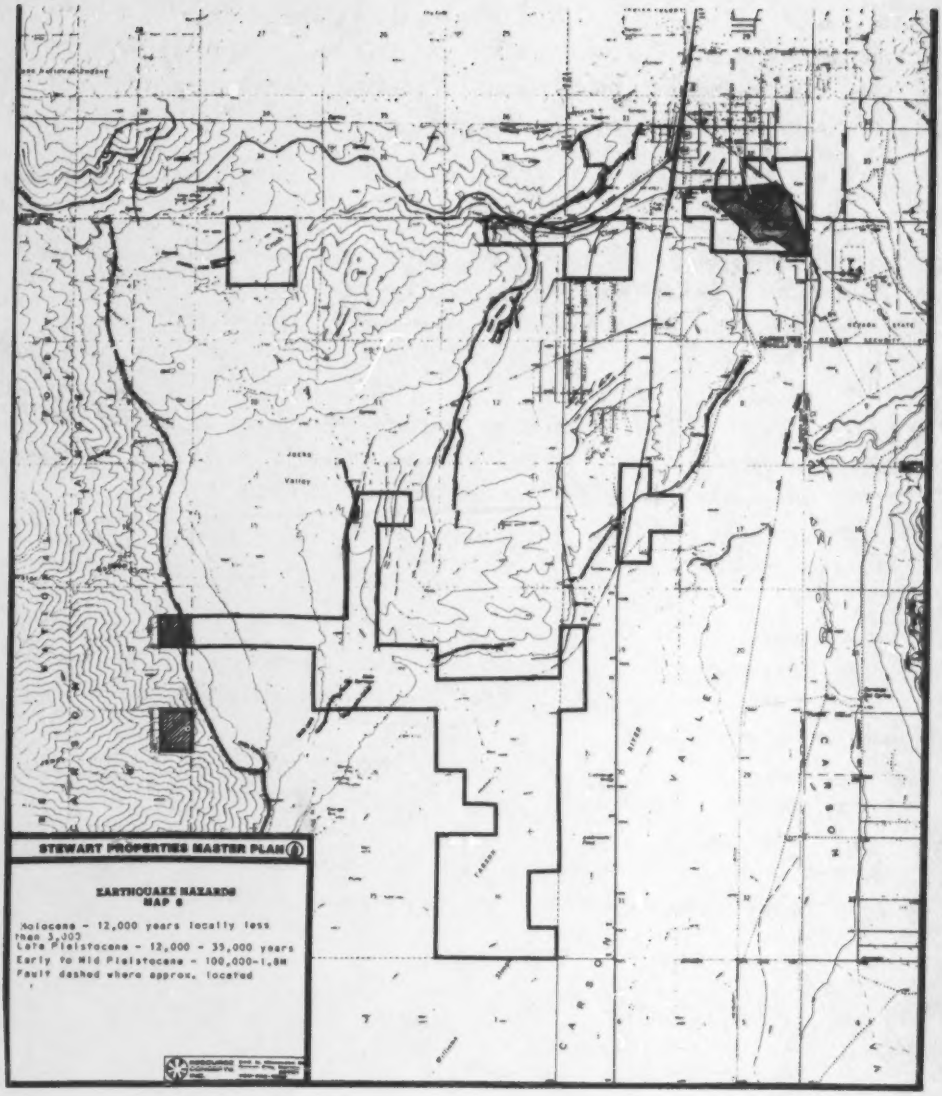
Presently, uses of lands adjacent to the site are limited to grazing with the exception of a State of Nevada operated, United States Forest Service (USFS) owned youth camp adjacent to the northwest corner of the parcel.

Adjacent Land Ownership

Lands adjacent to the west, south, east, and north of the parcel are owned by Mr. Harry Schneider. The USFS owns lands adjacent to the northwest corner of the parcel. The Schultz family owns lands adjacent to the northeast corner of the parcel.

Seismic Hazards

As shown in Map 6, a Holocene type fault is located on the western edge of the site. This area is subject to variable severity of seismic activity.


STEWART PROPERTIES MASTER PLAN
EARTHQUAKE HAZARDS
MAP 6
Holocene - 12,000 years locally less than 3,000
Late Pleistocene - 12,000 - 35,000 years
Early to Mid Pleistocene - 100,000-1.8M
Fault dashed where approx. located
Jacks Valley
CARSON RIVER
VALLEY

LOWER CLEAR CREEK

Located in Douglas County this parcel is bisected by Clear Creek, a perennial stream with head waters in the Carson Range, a part of the Sierra Nevada Mountains. At an elevation which ranges from 4,800 feet to 5,450 feet above sea level, the Lower Clear Creek parcel includes 229 acres being described as:

> The east half of Lot 2, the west half of Lot 2, and Lot 3 of the northeast quarter of Section 1 in Township 14 North of Range 19 East and Lots 1 and 2 of the northwest quarter of Section 6 in Township 14 North of Range 20 East of the Mount Diablo Meridian in Douglas County, Nevada.

Vegetative Cover

Existing vegetative cover on the Lower Clear Creek parcel includes approximately 21 acres of riparian and 208 acres of rangeland types (Map 7).

Site Improvements

Unimproved dirt roads provide access across both the north-south and east-west boundaries of the parcel. Access across the northern edge of the site is afforded via an improved asphalt roadway (old Highway 50).

A water diversion structure installed by the BIA for the purposes of piping water to the Stewart School is located on Clear Creek in the northwestern corner of the parcel. Also, in the northwestern corner the United States Geological survey has located a streamflow gaging station.

Barbed wire fences in poor condition are located on various areas of the parcel.

Present Market Value

Because of adjacent residential and commercial/industrial uses, lands on the Lower Clear Creek parcel have a present market value which ranges between $4,000 and $5,000 per acre. Total value for the 229 acre parcel then is estimated at approximately $1,030,500.

Water Rights

No record of rights with the Nevada Division of Water Resources for ground water associated with the Lower Clear Creek parcel were found.

History of Procurement

The Upper Clear Creek parcel was originally held in fee status and was acquired by the United States for a school site. The deed was dated October 26, 1908 from the Carson and Tahoe Lumber and Fluming Company.

Easements

Easements shown on title status reports for the parcel provided by the BIA are discussed below.

Easement for water pipeline with fireplug near County Building dated July 8, 1903 from Ormsby County, Nevada, in favor of the United States, over and across the northeast corner of the northeast quarter of the northwest quarter of Section 6, Township 14 North, Range 20 East.

STEWART PROPERTIES MASTER PLAN
LOWER CLEAR CREEK
TOTAL ACRES
Riparian 21
Rangeland 208
Sandpit
Sandpit
LANE
Glenbrook
Drive
Clear Creek
SUMMER HILL LANE
DR
DR
WAY
5200
5200
5200
5047
5319
5468
4840
4880
4319
6
7
1

Easement for water pipeline 10 feet in width dated July 27, 1903 with a reversion clause from Carson and Tahoe Lumber and Fluming Company, in favor of the United States, over and across the lands in Section 1, Township 14 North, Range 19 East, and Section 6, Township 14 North, Range 19 East.

Easement for material pit purposes approved October 3, 1941 in favor of the Nevada State Highway Department, in the northeast quarter of the northeast quarter of Section 1, Township 14 North, Range 19 East.

Easement for telephone line purposes approved February 23, 1944 granting a revocable permit, in favor of the U.S. Forest Service.

Easement for highway purposes of varying width approved March 20, 1956 in accordance with the provisions of the Act of February 5, 1948 (62 Stat.17), in favor of the State of Nevada, Department of Highways, over and across the lands in Section 1, Township 14 North, Range 19 East, and Section 6, Township 14 North, Range 20 East.

Easement for water pipeline purposes 10 feet in width approved November 11, 1956 in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the Board of County Commissioners, Ormsby County, over and across the lands in Section 1, Township 14 North, Range 19 East, and Section 6, Township 14 North, Range 20 East.

Easement for sewage disposal system 80 to 150 feet in width approved November 29, 1967 effective June 21, 1966 for 50 years in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17) in favor of the U.S. Forest Service.

Easement for road and bridge purposes 50 feet in width approved October 18, 1971 in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the County of Douglas, over and across the southeast corner of the west one-half Lot 1 and across the east one-half Lot 1 and east one-half Lot 2 in the northwest quarter of Section 6, Township 14 North, Range 20 East.

Agreements of Use

A revocable permit issued September 5, 1980 by the United State Department of Interior, Bureau of Indian Affairs in favor of the Washoe Tribe of Nevada and California for a period of one year for the purposes of farming, grazing, and maintaining the lands in good condition.

No other aggreements of use are known to exist.

Historical Features and Markers

No significant historical features or markers are known to exist at the site.

Archeological and Anthropological Sites

No significant archeological or anthropological sites are known to exist on the parcel though it is quite possible the location was used as a campsite in aboriginal times.

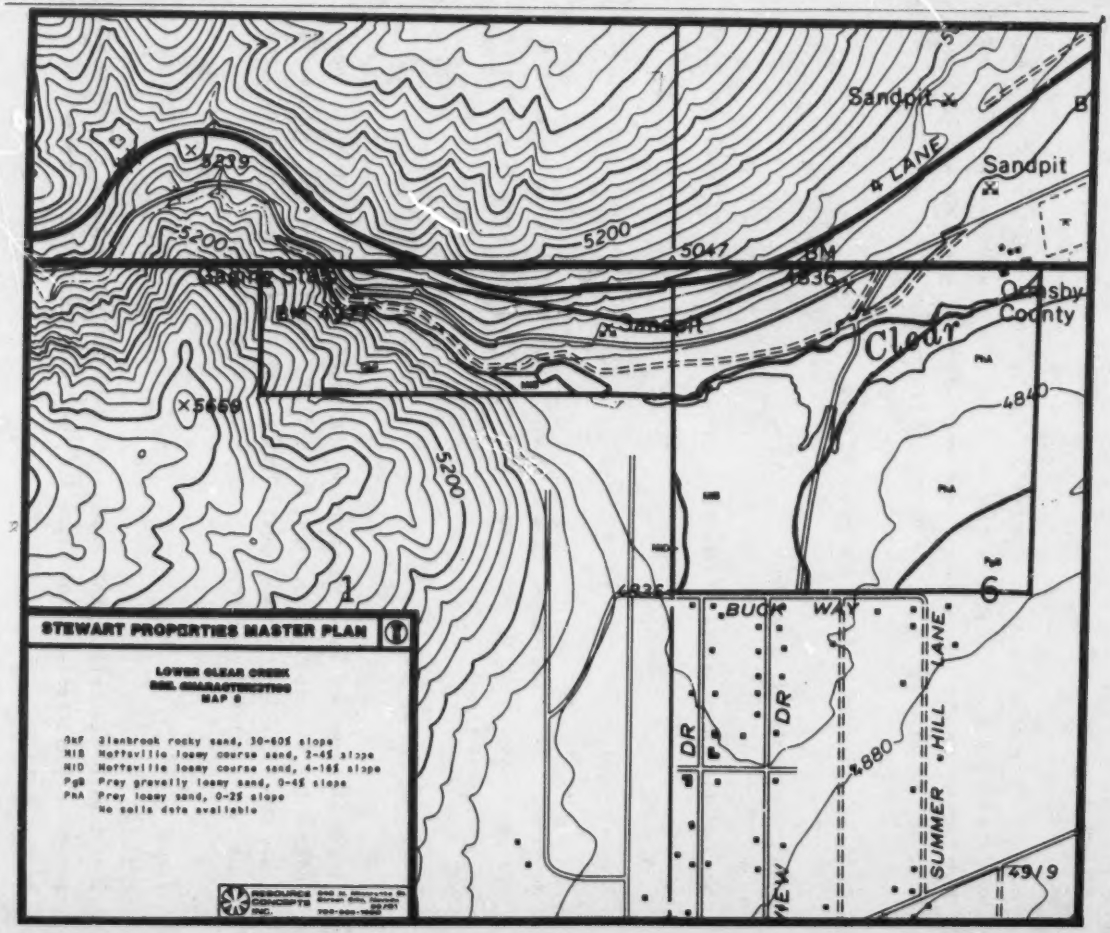
Soil Types and Patterns

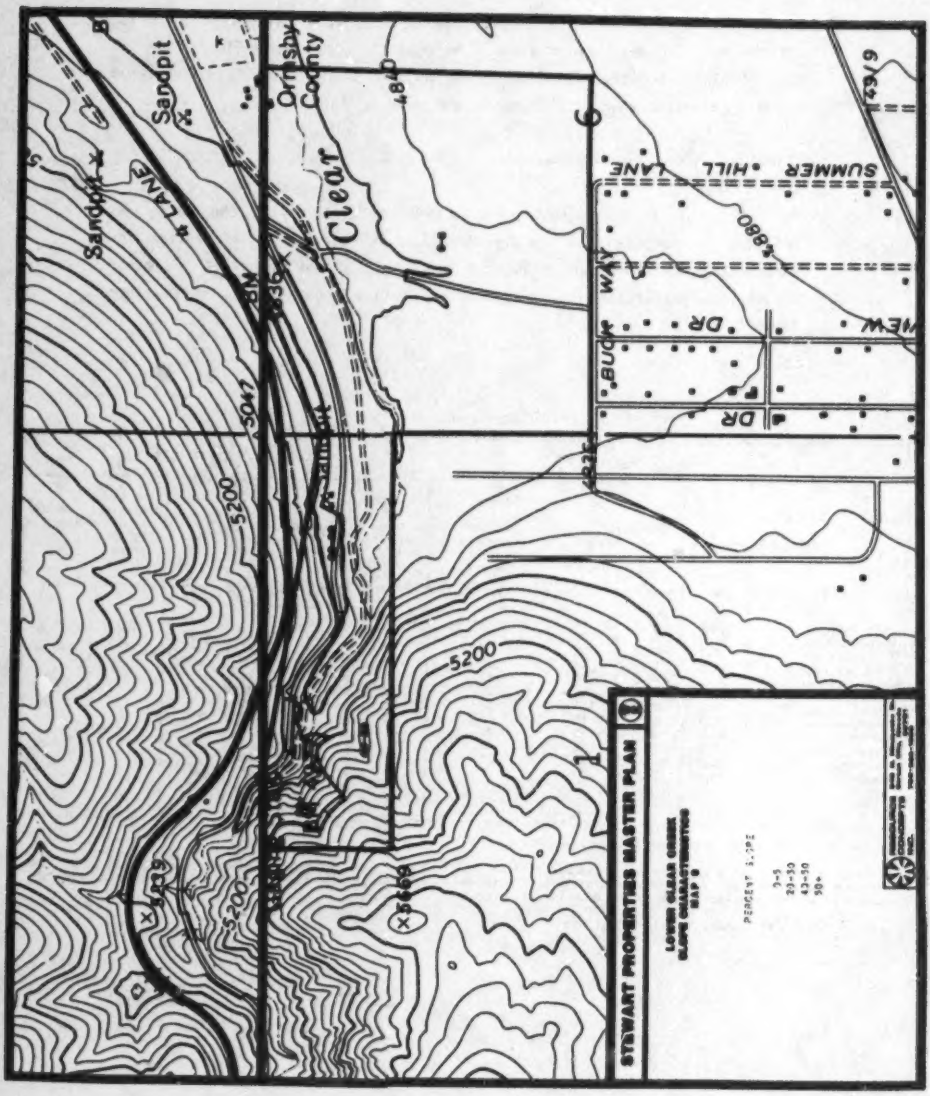
Five soil types are known to occur on the Lower Clear Creek parcel. Those include the Glenbrook rocky sand, Mottsville loamy coarse sand, Mottsville loamy coarse sand (4 - 16% slopes), Prey gravelly loamy sand, and Prey loamy sand types distributed on the site as shown in Map 8.

Slopes

Slopes on the parcel range from a low of 5-10 percent to those exceeding 50 percent. Characteristics of slope for the Lower Clear Creek site are shown on Map 9.

97-158 0 - 82 - 5


Sandpit
LANE
Sandpit
5239
5200
5047
BM
4836
Clear
Creek
Grassy
County
5659
5200
4840
1
6
4825
BUCK
WAY
DR
DR
VIEW
SUMMER
HILL
LANE
4880
49/9
STEWART PROPERTIES MASTER PLAN
LOWER CLEAR CREEK
SOIL CHARACTERISTICS
MAP 8
GkF Glenbrook rocky sand, 30-60% slope
HtB Hottaville loamy course sand, 2-4% slope
HtD Hottaville loamy course sand, 4-16% slope
PgB Prey gravelly loamy sand, 0-4% slope
PhA Prey loamy sand, 0-2% slope
No soils data available
RESOURCE CONCEPTS INC.


STEWART PROPERTIES MASTER PLAN
LOWER CLEAR CREEK
SLOPE CHARACTERISTICS
MAP 6
PERCENT SLOPE
0-5
20-30
43-50
50+
Sandpit
Sandpit
Clear
Drinsby County
5200
5200
5200
5039
5036
5047
4840
4880
4919
SUMMER HILL LANE
DR
DR
VIEW
BUCK WAY
LANE
6
1

While none of the Lower Clear Creek parcel has been designated as being within the "100 Year" flood plain, the riparian zone along Clear Creek is susceptible to periodic flooding during periods of high runoff. Known flood prone areas associated with the site are shown on Map 5.

Climatic History and Patterns

An indication of the climatic conditions associated with the parcel is afforded by records compiled by the USDA Soil Conservation Service for Carson City, Nevada which is located just north of the parcel at a similar elevation. Temperature and precipitation data for Carson City is shown on Table 7.

TABLE 7
TEMPERATURE AND PRECIPITATION DATA

Month	TEMPERATURE[1]						PRECIPITATION[1]				
	Average Daily Maximum	Average Daily Minimum	Average	2 Years In 10 Will have— Maximum Temperature Higher Than—	2 Years In 10 Will have— Minimum Temperature Lower Than—	Average Number of Growing Degree Days[2]	Average	2 Years In 10 will have— Less Than—	2 Years In 10 will have— More Than—	Average Number of Days With 0.10 Inch Or More	Average Snowfall
	°F	°F	°F	°F	°F		In	In	In		In
January	46.4	20.2	33.3	67	-9	39	2.16	0.77	3.26	4	7.8
February	51.8	24.5	38.2	71	2	80	1.39	.22	2.28	3	3.9
March	55.5	27.2	41.4	75	8	119	.91	.21	1.45	2	3.2
April	62.3	31.6	47.0	83	15	237	.54	.05	.01	2	1.6
May	70.8	38.9	54.9	91	23	462	.70	.14	1.14	2	1.0
June	79.7	45.4	62.6	98	30	678	.50	.03	.83	1	.0
July	89.0	50.5	69.8	100	38	924	.29	.00	.52	1	.0
August	87.4	48.5	67.9	99	35	865	.28	.00	.50	1	.0
September	80.9	40.8	60.9	94	25	627	.33	.02	.56	1	.1
October	70.0	32.2	51.1	89	14	353	.48	.06	.82	1	.4
November	56.1	25.3	40.7	75	7	83	1.14	.20	1.87	3	1.7
December	47.7	20.6	34.2	65	-4	47	2.39	.86	3.77	5	7.9
Year	66.5	33.8	50.2	101	-11	4,534	11.12	7.89	10.09	28	29.6

[1]/Recorded in the period 1951-73 at Carson City, Nevada

[2]/A growing degree day is an index of the amount of heat available for plant growth. It can be calculated by adding the maximum and minimum daily temperatures, dividing the sum by 2, and subtracting the temperature below which growth is minimal for the principal crops in the area (40°F).

Source: USDA, Soil Conservation Service, 1979.

The growing season at the site can be expected to average 136 days. The prevailing wind is from the west-northwest. Average windspeed is highest, 8 miles per hour, in April.

Zoning

Adjacent zoning to the west and southwest of the parcel in Douglas County is presently A-4 (Forest, Farm and Open Reserve). Zoning to the east and south of the site is presently set at A-1 (Acre Agriculture). Small areas of M-E (Industrial estates) and P (Park) zoning are located adjacent to the notheastern corner of the parcel. The northern boundary of the parcel has been predominantly zoned CR (Conservation Reserve) by Carson City.

Surrounding uses of lands adjacent to the site vary with zoning. To the north, no development (with the exception of U.S. Highway 50) exists. To the east of the site, light manufacturing, warehousing, recreation, and drive-in-theatre uses exist. South of the site is a one-acre estate residential area which is largely built-out(Jack's Valley).

Adjacent Land Ownership

Lands adjacent to the southeastern half of the parcel are owned by several individuals in several small parcels. To the southwest and north of the parcel, Bureau of Land Management administered lands are found. No private individual landowners with large blocks of land are adjacent to the parcel.

Seismic Hazards

As shown in Map 6, a Holocene type fault crosses the west-central portion of the parcel in a north-south direction. This area is subject to a variable severity of seismic activity.

STEWART SCHOOL

Located in Carson City, this parcel includes undeveloped lands adjacent to and surrounding the Stewart School facilities. The entire Stewart School parcel is crossed by Clear Creek, a perennial stream with headwaters in the Carson Range, a part of the Sierra Nevada Mountains.

At an elevation which ranges from 4,700 feet to 4,750 feet above sea level, the Stewart School parcel includes 196 acres more or less being described as:

Township 14 north, Range 20 east, Mount Diablo Meridian, Nevada.

Section 5: The parcel located in the northwest quarter of the northeast quarter is described as beginning at Station No. 1 at the northwest corner of the northeast quarter of the northeast quarter thence west 5.11 chains to Station No. 2, a point in the middle of the road leading to Carson; thence along the middle of said road S. 26°5' W. - .51 chains to Station No. 3; thence S. 47°30' E. 5. 58 chains to Station No. 4; thence S. 64°30' E. 6.66 chains to Station No. 6 a point on the line of the west side of the north east quarter of the northeast quarter of section five; thence North 15.27 chains to place of beginning, exclusive of the square half acre adjoining the road at the north end of said tract. The parcel located in the northeas* quarter of the northeast quarter is described as beginning at the northwest corner of said tract; thence south 1277.4 feet to the southwest corner of said tract; thence east on the south line of said tract 1184.2 feet; thence north 508.6 feet to a point on the west line of the right-of-way of the

proposed extension of the Virginia and Truckee Railway; thence N. 22°15' W. along the line of said right-of-way 824.7 feet to a point on the north line of said tract; thence west along said line 879 feet to place of beginning;

And, tract of land described as beginning at a point which lies 25.11 chains west of the northeast corner of section five which point is identical with point No. 2 in the deed of the H. F. Dangberg Land & Livestock Company to the United States of America; thence S. 63°55' E., 2.2361 chains; thence No. 26°05' E., 2.2361 chains; thence N. 63°55' W., 2.2361 chains to the point of beginning;

And, the northwest quarter of the northeast quarter except a parcel described as beginning at Station No. 1 a post at the northwest corner of the northeast quarter of the northeast quarter and running thence west 5.11 chains to Station No. 2 a post in the middle of the road leading to Carson; thence along the middle of said road S. 26°5' W. 7.51 chains to Station No. 3 a post in the middle of the road; thence S. 47°30' E. 5.58 chains across the road and along the fence on the north side of Penrods corral to Station No. 4 a post a the corner of said fence; thence S. 42°30' W. 2.51 chains along the fence on the east side of Penrods corral to Station No. 5 a post at the corner of the fence; thence S. 64°30 E. 6.66 chains along the fence and in the line of the west side of the northeast quarter of the northeast quarter; thence north 15.27 chains to the place of beginning.

EXCEPTING the following parcels:

1) land lying north of Clear Creek and west of the old V & T Railroad right-of-way in northeast quarter northeast quarter;
2) land lying north of Clear Creek contained in northwest quarter northeast quarter.

Township 15 north, Range 20 east, Mount Diablo Meridian, Nevada.

Section 32: The east half of the southeast quarter and the southwest quarter of the southeast quarter except the following tract of land located in the southwest quarter of the southeast quarter described as beginning at the southwest corner of the south half of the southeast quarter and running thence east along the township line between Township 14 and 15, 14 chains and 95 links to the the middle of the road on what is known as Penrods Lane; thence along the middle of said road N. 24°50' E., 14 chains and 28 links; thence N. 57°W. along the line of fence on the south side of the road leading to Carson 12 chains and 86 links to the intersection of the north boundary line of said tract of land; thence west along said line 10 chains to the northwest corner of said tract; thence south 20 chains to the point of beginning of Section 32 in Township 15 north of Range 20 east and two parcels of land lying within the northwest quarter of the southeast quarter of Section 32 in Township 15 north of Range 20 east of the Mount Diablo Meridian in Ormsby County, Nevada

PARCEL No. 1 is south of the highway leading from the Stewart Indian School to the Minden-Carson City Highway and is described as beginning at a point at the southeast corner of the parcel. The corner being also the southwest corner of the Missionary Lot, said point of beginning and further described as bearing N. 52°43' W., a distance of 2198.00 feet from the southeast corner of Section 32; thence No. 89°50' W., a distance of 900.00 feet to the south west corner of the parcel, said corner being also the southwest corner of the above described subdivision; thence No. 0°04" E., a distance of 1102.00 feet to a point at the northwest corner of the parcel and the southerly side of the highway 100 foot right-of-way line; thence S. 51°32' E., along the side of the

highway right-of-way line a distance of 1600.28 feet to a point at the intersection of the highway right-of-way and the northerly property line of the Missionary Lot; thence N. 55°24' W. along the northerly property line of said lot a distance of 430.00 feet to a point; thence S. 0°04' W., along the west boundary of said lot a distance of 354.40 feet to the point of beginning. Said parcel No.1 containing 15.51 acres, more or less, except a parcel of land containing 4.00 acres, more or less, which was conveyed to the United States of America by Henry Ross and wife by deed dated January 31, 1889, described as "four acres off the south side of the NW 1/4 SE 1/4 of Section 32, Township 15 N., Range 20 E." or a described in the correction deed from Emanuel Penrod to Henry Ross and wife dated May 21, 1889, as "Four (4) acres off of the southside of the NW 1/4 SE 1/4 of Section 32, Township 15 N., Range 20 E., and being all of that piece and parcel of land lying in said quarter quarter southwest of the road, leading from Penrod's Lane to Carson City, Nevada."

PARCEL No. 2 is north of the highway leading from the Stewart Indian School to the Minden-Carson City highway and is described as beginning at a point at the southeast corner of the parcel, said corner being on the northerly side of the highway 100 foot right-of-way line and the east side of the above described subdivision, said point of beginning being further described as bearing N. 41°18' W., a distance of 2010 feet from the southeast corner of Section corner of Section 32, thence N. 51°32' W., along the northerly side of the highway right-of-way line a distance of 1690.00 feet to a point; thence N. 0°04' E., a distance of 35.80 feet to the northwest corner of the parcel, said corner being also the norhwest corner of the above described subdivision; thence S. 89°50' E., along the subdivision line a distance of 1239.50 feet to the northeast corner of the parcel and the west right-of-way line of the Virginia and Truckee Railroad; thence S. 0°04' W., along the

railroad right-of-way line a distance of 44.50 feet to a point; from a tangent whose bearing is the last described course curving to the left with a radius of 1196.28 feet through an angle of 21°15'49" a distance of 443.90 feet to a point on the railroad right-of-way line and the east side of the subdivision; thence S. 0°04' W., along the east side of the subdivision a distance of 655.70 feet to the point of beginning.

And the south half of the southwest quarter and a parcel of land in the southwest quarter of the southeast quarter of Section 32 in Township 15 North of Range 20 East of the Mount Diablo Meridian in Ormsby County, Nevada said parcel described as beginning at the southwest corner of the south half of the southeast quarter and running thence east along the township line between Townships 14 and 15 north 14.95 chains to the middle of the road on which is known as Penrods Lane; thence along the middle of said road N. 24°50' E. 14.28 chains; thence N. 57° W. along the line fence on the south side of the road leading to Carson 12.85 chains to the intersection of the north boundary line of said tract of land; thence west along said line 10 chains to the northwest corner of said tract; thence 20 chains to the place of beginning.

And the parcel of land in the northwest quarter of the southeast quarter of Section 32 in Township 15 North of Range 20 East of the Mount Diabloe Meridian in Ormsby County, Nevada, described as four acres off the southside of the northwest quarter of the southeast quarter and further described as being all land lying southwest of the road leading from Penrods Lane to Carson City, containing 4.00 acres, more or less.

EXCEPTING the following parcels:

1) land lying west of the old V & T Railroad right-of- way contained in the southwest quarter
southeast quarter;
2) southwest quarter southeast quarter;
3) lany lying north of Clear Creek in the southeast quarter southwest quarter;

Vegetative Cover

Existing vegetative cover on the site is predominantly sagebrush comprising a rangeland type. No significant variance from this vegetative type was identified at the site.

Site Improvements

Improved asphalt surface roads, maintained by Carson city provide access to the northern and eastern portions of the parcel. An improved dirt road provides access to the southern portion of the parcel. Unimproved dirt roads provide access to the balance of the site.

A cemetery located adjacent to the west boundary of the Stewart Parcel is not part of the permit by which the Washoes currently manage the Stewart Properties. This parcel is, however, under a current separate permit to the Washoe. This parcel, it is suggested, will be part of the possible transfer to the Washoe Tribe and would be managed with the other parcels.

Present Market Value

Recent sale of comparable properties in the area, indicate that lands comprising the Stewart School parcel have a present market value which ranges between $5,000 and $6,000 per acre. Total parcel value is estimated at approximately $1,078,000 for the 196 acres included.

Water Rights

No record of rights with the Nevada Division of Water Resources for ground water associated with the Stewart School parcel were found. Presently 42.5 percent of the annual average yield of Clear Creek (3,067 acre feet) is tied to the Upper Clear Creek, Lower Clear Creek, and Stewart School parcels. The Stewart School proper is presently serviced by the Carson City water system.

History of Procurement

The Stewart School parcel was originally held in fee status and was acquired by the United States for a school site. The individual deeds include:

1) dated January 31, 1889 from Henry Ross and wife;
2) dated May 22, 1939 from H. F. Danberg Land and Livestock Company;
3) dated January 31, 1889 from Charles F. Miller and wife.

Easements

According to title status reports provided by the BIA the following easements are pertinent to the Stewart School parcel.

Easement for natural gas pipeline purposes 30 feet in width approved January 9, 1967 for 50 years in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the Southwest Gas Corporation, along the south side of the parcel.

Easement for sewage disposal system 20 feet in width approved November 29, 1967 effective June 21, 1966 for 50 years in accordance with the provisions of the Act of February 5, 1948 (62 Stat.17), in favor of the U.S Forest Service, over and across the northeast corner of this tract.

Easement for buried telephone cable 10 feet in width approved June 10, 1968 effective March 22, 1967 in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the California Interstate Telephone Company, over and across the southeast corner of East one-half of Lot 2 of Northwest one-quarter, Section 5, Township 14 North, Range 20 East.

Easement for highway realignment purposes of varying width approved May 8, 1964 in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the Board of County Commissioners, Ormsby County, over and across the Northwest one-quarter of the Southeast one-quarter of Section 32, Township 15 North, Range 20 East.

Easement for road and utility purposes 60 feet in width approve May 26, 1966 without limitation as to term of years in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the Board of County Commissioners, Ormsby County, over and across the Northwest one-quarter of the Southeast one-quarter of Section 32, Township 15 North, Range 20 East.

Easement for road purposes of varying width approved April 22, 1968 effective May 1, 1967 without limitation as to years in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the Board of County Commissioners, Ormsby County, over and across the northeast corner of the Northwest one-quarter of the Southeast one-quarter of Section 32, Township 15 North, Range 20 East.

Easement for railroad purposes approved July 27, 1905 in accordance with the provisions of the Act of March 2, 1899 (30 Stat. 990), in favor of the Virginia and Truckee Railroad, over and across the East one-half of the Southeast one-quarter of Section 32, Township 15 North, Range 20 East.

Easement for highway purposes 80 feet in width approved May 8, 1964 in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the Board of County Commissioners, Ormsby County, over and across the southeast one-quarter of the southeast one-quarter and southwest corner of North one-quarter of the southeast one-quarter of Section 32, Township 15 North, Range 20 East.

Easement of natural gas pipeline purposes 30 feet in width approved August 12, 1965 for 50 years in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the Southwest Gas Corporation, over and across the southeast one-quarter of the southeast one-quarter of Section 32, Township 15 North, Range 20 East.

Easement of road purposes 100 feet in width approved April 22, 1968 effective May 1, 1967 without limitation as to years in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17), in favor of the Board of County Commissioners, Ormsby County, over and across the east one-half of the southeast one-half of Section 32, Township 15 North, Range 20 East.

Agreements of Use

A revocable permit was issued September 5, 1980 by the United States Department of Interior, Bureau of Indian Affairs in favor of the Washoe Tribe of Nevada and California for a period of one year for the purposes of farming, grazing, and maintaining the lands in good condition. This is the only known agreement of use known to exist relative to this parcel.

Historical Features and Markers

The Virginia and Truckee Railroad operated a line which ran through the eastern portion of the site. It is reported that a small depot was located on the line in the vicinity of the northeastern corner of the parcel. No indication of the rail line or depot exists today.

The Nevada State Historical Marker No. 77 is located on the northeastern quarter of the parcel at a cemetery identifying the gravesite of Dat-So-La-Lee, a famous Washoe basket weaver. The marker was erected with assistance of the Reno Chapter of the Daughters of American Colonists in "recognition of the invaluable assistance of the Washoe Indians."[1]

No other significant historical features or markers are known to exist on the parcel.

Archeological and Anthropological Sites

The following archeological and anthropological sites have been previously identified on the parcel:[2]

Type of Site/Association	Location
Small Historic Site: glass and ceramics	T15 N. R20 E. SE/SE Sec.32
(Information Not Available)	T15 N. R20 E. SW/SW Sec.32

No other archeological or anthropological sites are known to exist on the parcel.

Soil Types and Patterns

Several soil types have been identified as occuring on the Stewart School parcel. Those include Haybourne loam, Surprise gravelly sandy loam, Prey stony sandy loam, Jubilee loam poorly drained, Mottsville loamy coarse sand, Prey gravelly loamy sand, Jubilee loam sand substratum variant, Aldax stony fine sandy loam, and Haybourne sand types distributed on the site as shown on Map 10.

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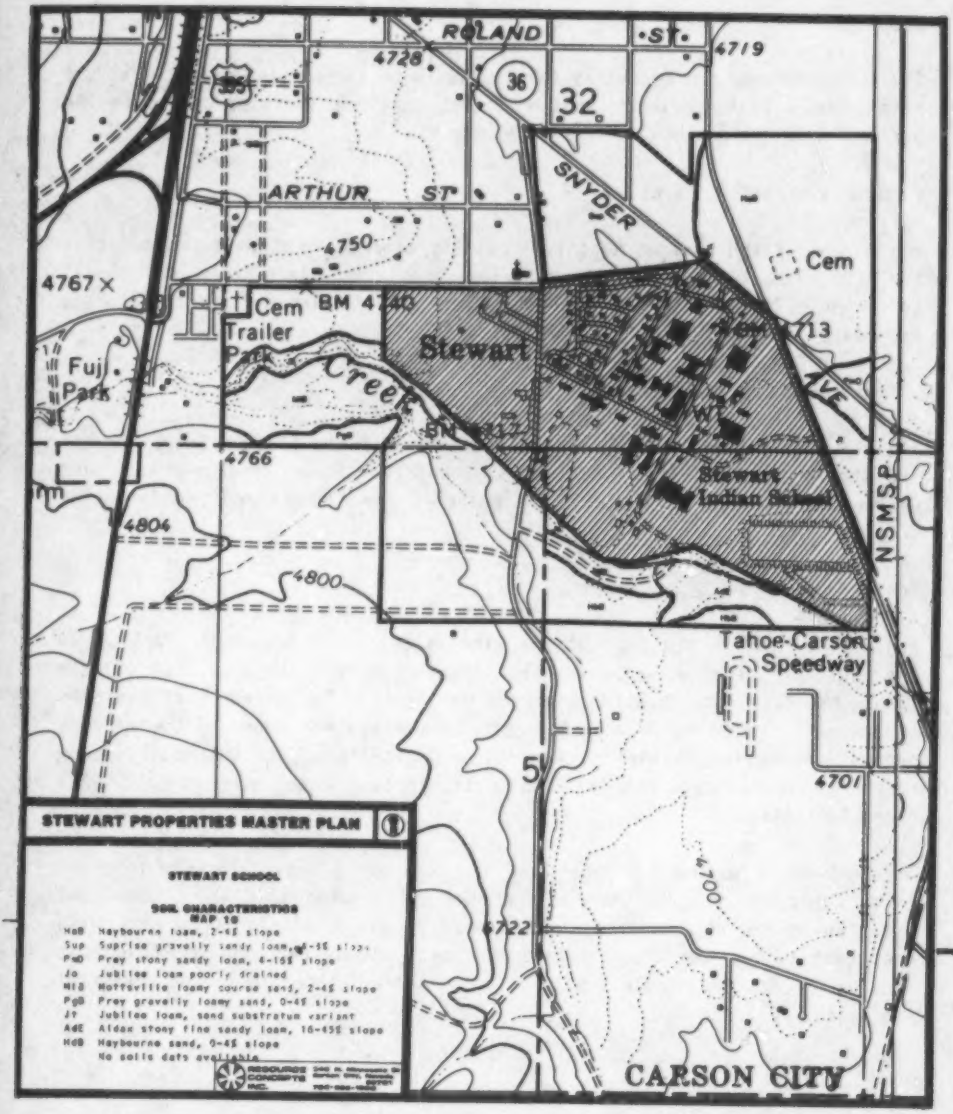
[1]/As stated on the historical marker.

[2]/As noted in Vasey Engineering Co., Inc. and others "Comprehensive Water Plan," prepared for Carson City, Nevada, dated November 20, 1980.


ROLAND
ST.
4719
4728
36
32
ARTHUR ST
SNYDER
4750
Cem
4767 X
Cem
Trailer
Park
BM 4740
Stewart
13
Fuji
Park
Creek
4766
4804
4800
Stewart
Indian School
NSMSP
Tahoe-Carson
Speedway
5
4701
4700
4722
CARSON CITY
STEWART PROPERTIES MASTER PLAN
STEWART SCHOOL
SOIL CHARACTERISTICS
MAP 10
HaB Haybourne loam, 2-4% slope
Sup Suprise gravelly sandy loam, 4-8% slope
PmD Prey stony sandy loam, 4-15% slope
Ja Jubilee loam poorly drained
MtS Mottsville loamy course sand, 2-4% slope
PgB Prey gravelly loamy sand, 0-4% slope
Jt Jubilee loam, sand substratum variant
AdE Aldax stony fine sandy loam, 15-45% slope
HdB Haybourne sand, 0-4% slope
No soils data available
RESOURCE CONCEPTS INC.

Slopes

The topography of the parcel is fairly even with slopes predominantly in the range from 0 to 5 percent. No significant variance in slope occurs on the parcel.

Flood Plains and Patterns

While none of the Stewart School parcel has been designated as being within the "100 year" flood plain, the riparian zones along Clear Creek are subject to periodic flooding during periods of high runoff. Known flood prone areas associated with the site are shown on Map 5.

Climatic History and Patterns

The climatic history and patterns associated with the Stewart School parcel are similar to those noted earlier for the Lower Clear Creek parcel. The reader is referred to Table 7 for relevant temperature and precipitation data.

Zoning

Adjacent zoning to the east of the site is presently set at P (Park). To the south of the site in Carson City adjacent zoning includes SF1A (Single Family One Acre) and MH1A (Mobile Home One Acre). To the north of the site predominent zoning is SF1A. Adjacent to the western edge of the parcel, general commercial zoning is presently set. Adjacent to the southwestern corner of the parcel, Douglas County has inplace a current zoning of A-1 (Acre Agriculture).

Adjacent lands to the site are used in a variety of ways, largely relative to existing zoning. To the north of the site, housing is the predominant use. Build-out in this area is estimated at approximately 50 percent. To the south of the parcel, the Tahoe-Carson Speedway (automobile racing) is located. Scattered single family residences are located to the southwest of the site.

Adjacent Land Ownership

Lands adjacent to the north, west, and south sides of the parcel are owned by several owners. Parcel sizes vary, but most are small. To the east of the site, land owned by Carson City (for future park) and the State of Nevada (Medium Security Prison) are located.

Seismic Hazards

As shown in Map 6, no seismic hazards are known to exist on the Stewart School parcel. A Holocene fault is noted as being located just north of the site.

SILVERADO

Located in Douglas County, this parcel is approximately 10.5 miles north of Minden and 6 miles south of Carson City and is situated so as to be crossed by U.S. Highway 395. At an elevation which ranges from 4650' to 4800' above sea level, the Silverado parcel includes 160 acres more or less being described as:

> The west half of the northeast quarter, the southeast quarter of the northeast quarter and the northwest quarter of the southeast quarter of Section 18 in Township 14 N., Range 20 E. of the Mount Diablo Meridian in Douglas County, Nevada.

Vegetative Cover

Existing vegetative cover on the site is predominantly sagebrush comprising a rangeland type. No significant variation from this vegetative type was identified at the site.

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Site Improvements

With the exception of an unimproved dirt road which provides access to the eastern part of the parcel and barbed wire fences in fair to good condition, no significant improvements to the site exist.

Present Market Value

The Silverado parcel is estimated, based upon recent comparable sales, to have a present market value of $560,000 or approximately $3,000 to $4,000 per acre.

Water Rights

No record of rights with the Nevada Division of Water Resources for ground water associated with the Silverado parcel were identified.

History of Procurement

The Silverado parcel was originally held in fee status and was acquired by the United States as a school site. The deed was dated December 2, 1939 from Clara Fullstone.

Easements

The only easement known to be pertinent to this parcel is for highway purposes approved August 17, 1942, in favor of the Nevada State Highway Department, over and across the northwest one-quarter of the northwest one-quarter of the southeast one-quarter and the west one-half of the west one-half of the northeast one-quarter of Section 18, Township 14 North, Range 20 East.

Agreements of Use

A revocable permit issued September 5, 1980 by the United States Department of Interior, Bureau of Indian Affairs in favor of the Washoe Tribe of Nevada and California for a period of one year for the purposes of farming, grazing, and maintaining the lands in good condition.

No other agreements of use are known to exist for the site.

Historical Features and Markers

No significant historical features or markers are known to exist at the site.

Archeological and Anthropological Sites

An review conducted in the area has been reported to have revealed no significant archeological or anthropological sites.[1]

Soil Types and Patterns

Three soil types were identified as occurring on the Silverado parcel. Those include the Prey gravelly loamy sand, Prey loamy sand, and Toll sand distributed on the site as shown on Map 11.

Slopes

The topography of the parcel is fairly even with slopes ranging predominantly from 0 to 5 percent.

Climatic History and Patterns

A good indication of the climatic conditions associated with the parcel is offered by records compiled by the USDA Soil Conservation Service for Minden, Nevada which is located approximately 10.5 miles south of the site at an elevation of 4,700 feet, similar to that of the site. Temperature and precipitation data for Minden is shown in Table 8.

1/Personal communication with Mary Rusco, Nevada State Museum, February, 1981.

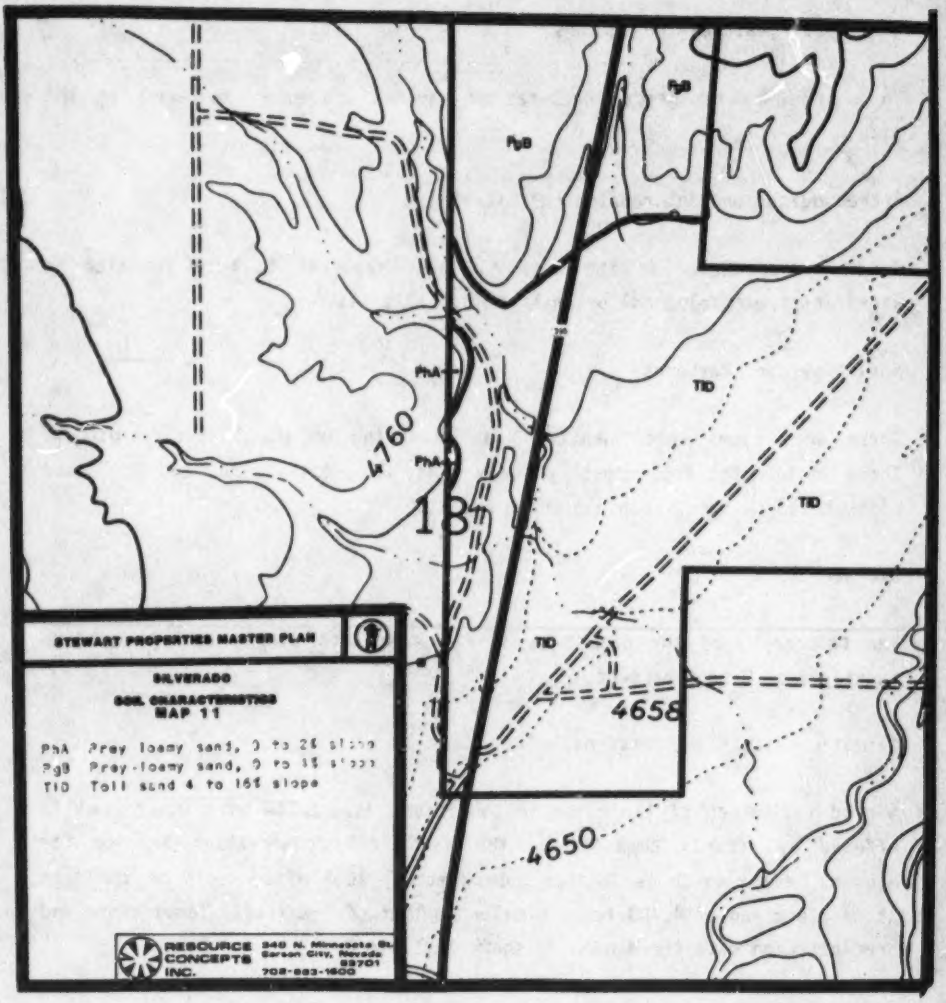
PgB
PgB
PhA
PhA
TID
TID
TID
4760
4658
4650
18
STEWART PROPERTIES MASTER PLAN
SILVERADO
SOIL CHARACTERISTICS
MAP 11
PhA Prey loamy sand, 0 to 2% slope
PgB Prey-loamy sand, 0 to 5% slope
TID Tall sand 4 to 15% slope
RESOURCE CONCEPTS INC.
340 N. Minnesota St.
Carson City, Nevada
89701
702-883-1600

TABLE 8

TEMPERATURE AND PRECIPITATION DATA, MINDEN, NEVADA

(Data from the station at Minden, Nevada, elevation 4,700 feet; based on records for the period 1900-1960)

	Temperature				Precipitation			
	Average daily Maximum	Average daily Minimum	2 years in 10 will have at least 4 days with		Average total	1 year in 10 will have		Average Snowfall
			Maximum temperature equal to or higher than	Minimum temperature equal to or lower than		Less than	More than	
	°F.	°F.	°F.	°F.	In.	In.	In.	In.
January	44.0	17.6	61.2	3.7	1.72	0.15	2.31	5.2
February	49.5	22.2	64.4	6.5	1.43	.10	3.21	4.3
March	57.4	25.7	69.3	11.3	.94	.15	1.58	2.2
April	65.3	31.0	77.9	19.1	.56	(1)	1.33	.6
May	72.8	37.4	84.8	25.9	.52	0	1.50	(1)
June	81.5	42.6	92.9	32.5	.35	0	1.19	(1)
July	90.2	48.0	97.0	39.6	.30	0	1.10	0
August	88.6	45.7	96.7	35.6	.21	0	.69	(1)
September	80.7	38.3	93.9	28.4	.23	0	.70	(1)
October	69.4	31.2	84.2	18.9	.49	(1)	1.41	.1
November	56.7	23.6	70.7	9.8	1.05	(1)	2.85	.6
December	47.2	19.2	61.8	4.9	1.60	.09	3.46	6.4
Year	66.9	32.0			9.37			19.4

1/Trace

Source: USDA, Soil Conservation Service, 1971

The length of the frost-free season at the site can be expected to average 107 days. Prevailing winds at the site are from the south. According to the Soil Conservation Service, records of windspeed are not kept for the Carson Valley area, but data collected for Reno can be applied. These records show that a maximum windspeed of about 65 miles per hour can be expected, but the windspeed is normally 6 to 7 miles per hour.[1]

Zoning

Lands adjacent to the west, south, and east of the parcel are presently zoned A-1 (Acre Agriculture) by Douglas County. To the north of the site TR (Trailer Overlay Residential) zoning is in effect.

To the west and north of the site, high density residential uses have been made of adjacent lands. Silverado Heights, a single family stick construction development, is approximately 60 percent built out. At buildout approximately 200 dwelling units will be included in the development. To the north of the site a large mobile home development exists.

While presently undeveloped, the lands to the northeast of the site are proposed to be developed into a single family, stick construction development. This development is understood to be proposed at including approximately 200 units. Lands to the east of the site are presently undeveloped and utilized primarily for livestock grazing.

A sparse amount of single family development has occurred to the south of the parcel. Kampground of America (KOA) have proposed to develop a campground on lands adjacent to the southern boundary of the Silverado parcel.

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[1]/USDA, Soil Conservation Service, "Soil Survey-Carson Valley Area - Nevada-California", July 1971.

As shown in Map 6, a Late Pleistocene type fault crosses the parcel. Adjacent to the parcel are Holocene type faults. This area is subject to a moderate severity of shaking.

STEWART RANCH

Located in the Carson Valley of Douglas County the Stewart Ranch parcel includes approximately 2,098 acres of range and farm lands. The parcel is crossed in its southern portion by the Carson River. Several sloughs and ox-bows associated with the Carson River are also located on the ranch. At an elevation which ranges from 4,625 feet to 6,000 feet above sea level, the Stewart Ranch properties are described as:

> The east half of the southwest quarter, the southeast quarter of the northwest quarter and the southwest quarter of the northeast quarter of Section 14, excluding a portion lying west of Jack's Valley Road as it presently exists and owned by Mr. John J. Ascuaga in Township 14 north of Range 19, east of the Mount Diablo Meridian in Douglas County; and the northeast quarter of the northwest quarter, the south half of the northwest quarter, the south half of Section 23 in Township 14 north of Range 19, east of the Mount Diablo Meridian in Douglas County; and the south half of the northwest quarter, the south half of the northeast quarter of Section 22 in Township 14 north of Range 19 east of the Mount Diablo Meridian in Douglas County; and the south half of the southwest quarter, the south half of the southeast quarter of Section 24 in Township 14 north of Range 19 east of the Mount Diablo Meridian in Douglas County; and the north half, the northeast quarter of the southwest quarter, the southeast quarter of Section 25 in Township 14 north of Range 19 east of the Mount Diablo Meridian in Douglas County; and the west half, the north half of the northeast quarter, the southwest quarter of the northeast quarter, the south half of the southeast quarter, the northwest quarter of the southeast quarter of Section 36 in Township 14 north of Range 19 east of the Mount Diablo Meridian in Douglas County; and the south half of Lot 2 of the northwest quarter and Lot 2 of the southwest quarter of Section 19 in Township 14 north of Range 26 east of the Mount Diablo Meridian in Douglas County, Nevada.

Vegetative Cover

Approximately 75 percent (1,572 acres) of the Stewart Ranch parcel is a rangeland type. The upper fans and benches are predominantly vegetated with mountain big sagebrush and bitterbrush. The lowlands are dominated by rabbitbrush near the Carson River and slough areas due to the shallow water table. In spring or seep areas native meadow types occur.

Approximately 190 acres in the western portion of the parcel (Section 22) have been cleared and were once surface irrigated. There are two small pastures on the ranch totaling approximately 16 acres (Sections 23 and 25). These areas are presently utilized as livestock holding and feeding areas.

Currently, nearly 11 percent of the ranch is planted for hay or alfalfa production. There presently exist 7 hayland fields totaling 230 acres. During recent years only 30-40 acres of hayland has been irrigated. Irrigation water has been provided through water stored in a series of 3 reservoirs on the parcel and water pumped from a slough.

All lands by vegetative cover or use for the Stewart Ranch parcel are illustrated on Map 12.

Site Improvements

Two farmstead areas total approximately 7 acres. A ranch house, barns, corrals, equipment sheds, and other incidental improvements are located in these areas.

Improved and unimproved dirt roads provide access to most areas of the ranch. The exception to this is the extreme southern portion of the ranch which is presently only accessible by horseback.

The ranch is entirely fenced along its perimeter, and includes a network of internal fencing separating the ranch into a series of fields.[1] Fence condition ranges from poor to excellent.

The present irrigation system associated with the ranch includes two primary water sources. First, a series of three reservoirs retain some water from Water Canyon Creek and Hobo Hot Springs (See Map 12). These waters are

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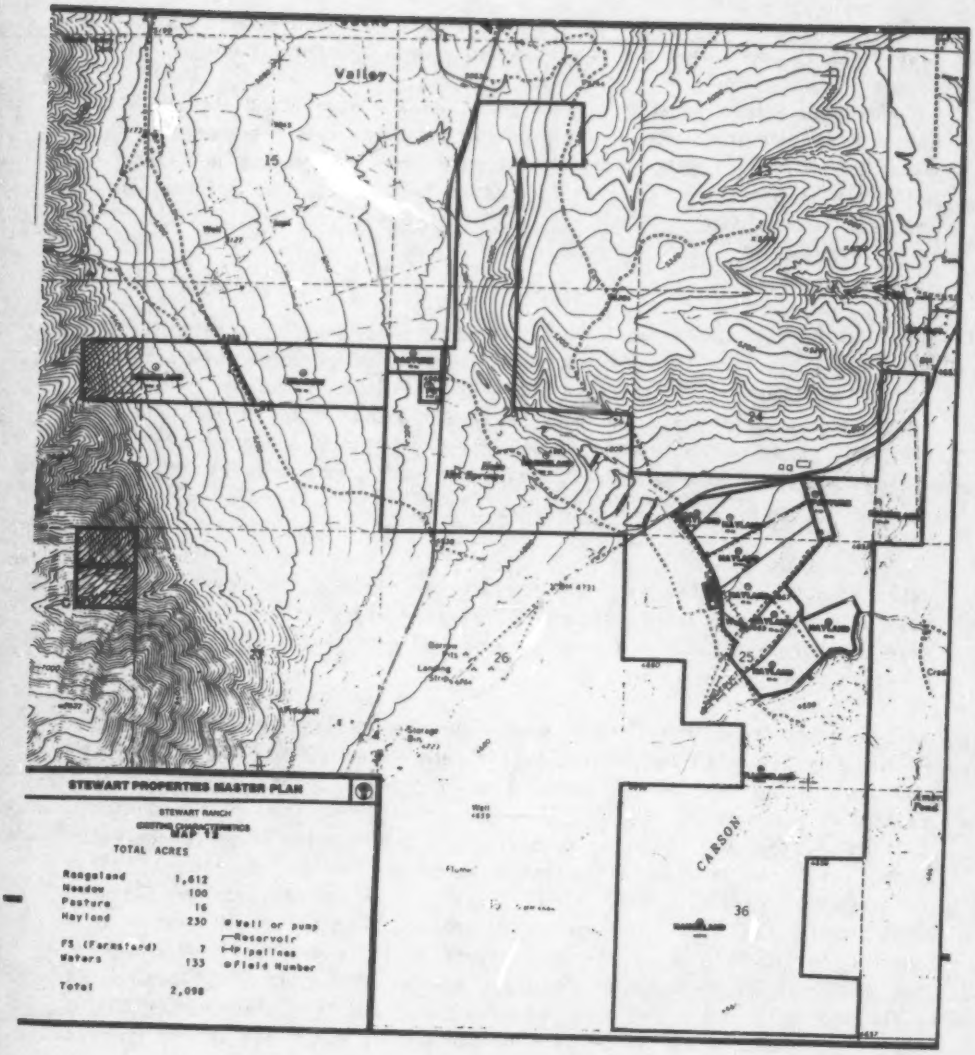
[1]/Fields are identified on Map 12.


Valley
15
25
24
26
25
CARSON
36
STEWART PROPERTIES MASTER PLAN
STEWART RANCH
EXISTING CONDITIONS
MAP 12
TOTAL ACRES
Rangeland 1,612
Meadow 100
Pasture 16
Hayland 230
FS (Farmstead) 7
Waters 133
Total 2,098
Well or pump
Reservoir
Pipelines
Field Number

dispersed to hayland fields via a system of ditches. In recent years this system has not been used and is presently in need of maintenance.

In addition, a pump located in Section 25 on a slough associated with the Carson River provides water via a pipeline and ditch system to approximately 40 acres of hayland. During the past year this system was utilized. A well, not in operation, is also located on Section 25. No information on the well is available.

Present Market Value

Land values for the Stewart Ranch vary between those suitable for and presently cultivated, and those usable for rangeland. Comparable sales for cultivated land in the area indicates that similar lands on the Stewart Ranch have a market value of between $2,000 and $2,500. Other lands are estimated to be worth between $1,000 and $1,500 on the Ranch. Estimated present market value of the 2,098 acre ranch is approximately $3,000,000.

Water Rights

Water rights associated with the Stewart Ranch parcel on record with the Nevada Division of Water Resources include surface rights on the Carson River. There are no groundwater permits or certificates of record at the Division of Water Resources.

Water rights from the Carson River include Nevada Division of Water Resources application number 304, Certificate number 28 dated June 24, 1912, and Claim number 680 of the Carson River Decree. Application 304 is currently in the name of Charles C. Fulstone. It covers 97.00 acres within Section 25, Township 14 North, Range 19 East. The Carson River Decree water right is in the name of the United States of America, Bureau of Indian Affairs. It covers a total of 170 acres including the same area listed under application 304. The decree describes the point of diversion as a pump on the north bank of the west branch of the river near the center of the northeast quarter of the southwest quarter of Section 25, Township 14 North, Range 19 East. The priority established for this claim number 680 is 1861. It would appear that claim number 680 includes the ground covered

under application number 304 and that the total water right available from the Carson River is 170 acres.

There is one other possible source of surface water rights which may be pertinent to portions of the Stewart Ranch. In 1888 the Nevada Supreme Court reviewed a decree on Jack's Valley Creek. This decree allocated the water of Jack's Valley Creek among several ranchers in the area. It appears that the Stewart Ranch includes some lands which are successor in interest to A.B. Johns, one of the decreed owners of water rights on Jack's Valley Creek. Johns was entitled to use, during the irrigating season (beginning April 1st and ending October 31st of each year), one day out of every eight. During the non-irrigating season water use was restricted to quantities sufficient for stock and domestic purposes only.

History of Procurement

The Stewart Ranch parcel (including the 40 acres in Section 28) was originally held in fee status and was acquired by the United States for a school site. The pertinent deeds associated with transfer of the lands to the United States include:

1) dated December 2, 1939, from Clara J. Fulstone;
2) dated June 13, 1974, from John J. Ascuaga;
3) dated November 12, 1940, from Joseph Schneider and wife.

Easements

Any right-of-way for ditches, canal, flumes, or conduits which may exist or be used over the parcel, pursuant to Judgement and Decree of the Supreme Court of the State of Nevada, as referred to in Deed to Max C. Fleischmann recorded in the office of the Recorder of Doublas County, Nevada, on August 7, 1945, in Book X, at page 263, Deed Records.

Right-of-way for roadway, together with a release of all claims for damages in favor of Douglas County, recorded April 13, 1955, in the office of the Recorder of Douglas County, Nevada, in Book 1-B of Deeds at page 328.

Right-of-way in favor of Sierra Pacific Power Company and Continental Telephone Company of Nevada for operation and maintenance of poles, power lines

and incidental purposes, recorded July 10, 1973, in the office of the Recorder of Douglas County, Nevada, in Book 733 of Official Records, at page 218.

Easement for highway purposes approved August 17, 1942, in favor of the Nevada State Highway Department, over and across the Northwest one-quarter of the Southeast one-quarter and West one-half of the West one-half of the Northeast one-quarter of Section 18, Township 14 North, Range 20 East.

Agreements of Use

A revocable permit was issued September 5, 1980, by the United State Department of Interior, Bureau of Indian Affairs in favor of the Washoe Tribe of Nevada and California for a period of one year for the purposes of farming, grazing, and maintaining the lands in good condition.

No other agreements of use are known to exist.

Historical Features and Markers

No significant historical features or markers are known to exist at the site.

Archeological and Anthropological Sites

Although some archeological digs have taken place around the Stewart Ranch, and it is thought that Washoe camped in the surrounding areas, no significant sites are reported.

Soil Types and Patterns

Twenty-eight soil types were identified as being common to the site comprising fifteen soil series. Those series include:

Cradlebaugh series
Dangberg series
Fettic series
Heidtman series
Holbrook series
Job series
Jubilee series
James Canyon series
Kimmerling series
Ormsby series
Prey series
Sandy alluvial land
Springmeyer series
Toll series
Voltaire series

The distribution of these soils at the site is illustrated on Map 13.

Slopes

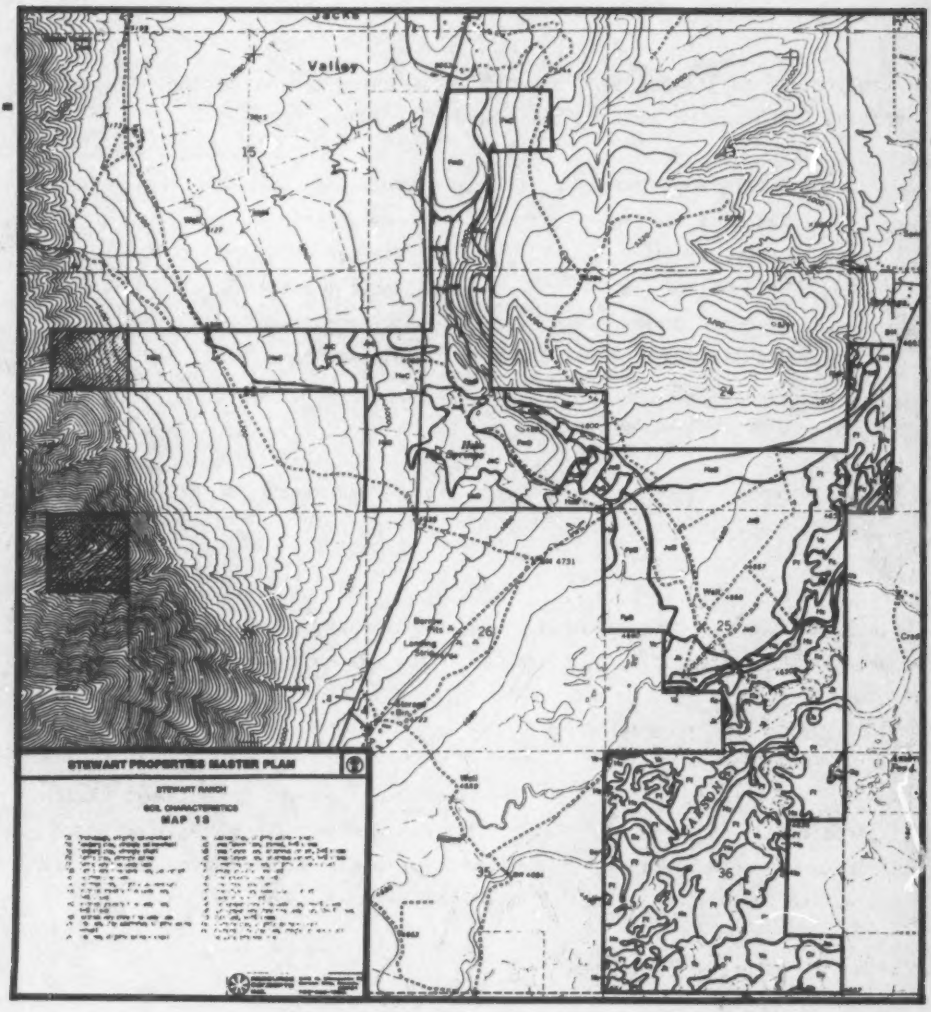
Slopes on the main ranch parcel range from a low of 0-5 percent to 40-50 percent. Characteristics of slope for Stewart Ranch are shown on Map 14.

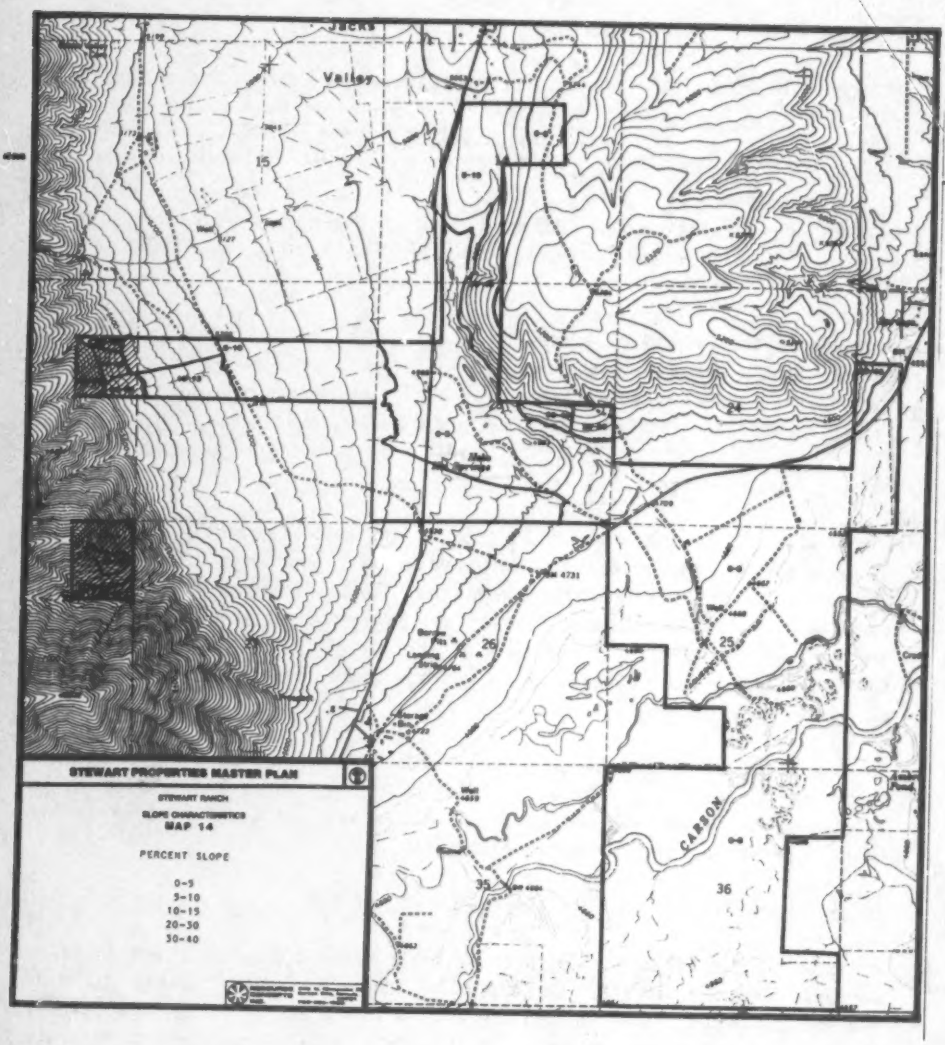
Flood Plains and Patterns

As is illustrated on Map 5, a large portion of the Stewart Ranch (approximately 65 percent) is within the designated "100 year" flood plain. Other areas of the ranch, primarily those along Water Canyon Creek are subject to periodic flooding during periods of high runoff (Map 5).

Climatic History and Patterns

The climatic history and patterns associated with the Stewart Ranch parcel are similar to those noted earlier for the Silverado parcel. The reader is referred to Table 3 for relevant temperature and precipitation data.


Valley
STEWART PROPERTIES MASTER PLAN
STEWART RANCH
SOIL CHARACTERISTICS
MAP 19


Valley
15
24
25
26
35
36
CARBON
STEWART PROPERTIES MASTER PLAN
STEWART RANCH
SLOPE CHARACTERISTICS
MAP 14
PERCENT SLOPE
0-5
5-10
10-15
20-30
30-40

Zoning

Adjacent zoning to the site includes primarily A-4 (Forest, Farm, and Open Reserve) and A-2 (Two-Acre Agriculture). Zoning adjacent to the parcel in Section 19 includes A-1 (Acre Agriculture).

With the exception of adjacent lands at the extreme northern and northeastern ends of the parcel, adjacent land uses are presently agriculture. Agricultural uses include primarily domestic livestock grazing and hay production.

Adjacent to the extreme northern end of the parcel is located an area of low density single family estate housing. Adjacent to the extreme northeastern edge of the parcel is a developed area including medium density single family residences and limited commercial (dog kennel, equestrian center, etc).

Adjacent Land Ownership

Lands adjacent to the west of the parcel are owned primarily by Mr. John Ascuaga and Mr. Harvey Gross. Both individuals own large blocks of land primarily utilized for ranching operations. To the south of the site, adjacent land owners include Settlemeyer and Byington. These lands presently are used for ranching. To the east of the parcel, Stokes and Richters are the principal land owners, also using their lands for agricultural purposes.

To the north of the parcel, a large tract of Bureau of Land Management administered lands is located. This land constitutes the Indian Hills allotment for which the Washoe Tribe of Nevada and California presently holds a permit to graze domestic livestock.

Seismic Hazards

As shown in Map 6, several occurances of Holocene type faults are found at various locations on the parcel. In addition, several Early to Mid-Pleistocene faults are located on the northern extremity of the parcel. Areas as shown on Map 9 where faults occur could experience a moderate severity of shaking.

Geothermal Resources

A physical feature to the Stewart Ranch parcel uncommon to the previously described parcels is the existance of a geothermal site commonly referred to as Hobo Hot Springs. According to information compiled by the Nevada Bureau of Mines and Geology, the surface temperature of the site is 46°C (115°F). Water quality is fairly good showing between 0 and 500 ppm of total dissolved solids with the dominant chemical species being $Na\text{-}SO_4$. No data on flows from the site is known to exist.

Presently, the springs are utilized primarily to fill one of a series of reservoirs on the ranch while a minimal amount of recreation occurs at the site.

PROPOSED LAND USES

Based upon the foregoing analyses of the characteristics of each parcel and the demands for additional lands, the Washoe Tribe has developed proposed land use plans. These plans are purposed at providing employment, housing, and/or social experiences presently lacking while conforming to expressed concerns of adjacent land owners and local goverment ordinances. Following then is a brief description of adjacent landowner concerns and proposed land uses for each parcel.

UPPER CLEAR CREEK

The primary adjacent landowner to the parcel, Mr. Harry Schneider, indicated support for Tribal ownership of the parcel if uses did not conflict with his ranching enterprise. His concerns were those of increased persons frequenting the area and possibly disturbing cattle grazing on lands adjoining the parcel.

As was mentioned in the introduction to this report, the Upper Clear Creek parcel is situated within the boundaries of the Toiyabe National Forest. For this reason, meetings with Forest Service representatives indicated their desire to see the parcel become part of the Forest. However, the spokesmen did indicate that if the Washoe Tribe were to manage the parcel in a manner similar to Forest Service procedures that support for Tribal ownership was possible. The primary concerns of the Forest Service were fire protection, watershed protection, garbage collection, and basic maintenance of the parcel quality.

The Washoe Indians as was previously discussed, inhabited the western side of the Carson Range. Presently the Tribe owns no lands exhibiting the characteristics of ancestoral grounds. The Upper Clear Creek parcel being on the Carson Range, forested, containing a riparian zone and crossed by a perennial stream exhibits many of the characteristics of ancestoral lands.

Initially, the Washoe Tribe proposes to maintain the Upper Clear Creek parcel in an undeveloped state with primary uses including Tribal picnics, cultural and spiritual enhancement, non-vehicular public use, and livestock grazing on a permit basis to adjacent landowners. Revenues from grazing would be insignificant but would help offset expected minimal costs anticipated for fence repair and maintenance.

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Fire protection at the site will be provided via a cooperative agreement between the Washoe Nation, Bureau of Indian Affairs, and the Clark-McNeary Fire Protection District. Security at the site will be provided via the Washoe Tribal police and rangers. The Washoe Indian Action Program will provide the necessary maintenance to the site (garbage collection, fence repair, etc.). The reader is referred to the Tribal organizational chart (Figure 1 as previously shown) for a clear understanding of Tribal capabilities for managing the parcel.

Ultimate development plans could include a low density public campground. This type of use is not forseen in the near future or until demand for such a use appears strong.

LOWER CLEAR CREEK

The Lower Clear Creek parcel is adjoined by several owners of small parcels. It is apparent that if uses on the parcel are similar to those of adjacent landowners, conflicts do not exist. Fuji Park, operated by Carson City is adjacent to the northeast corner of the parcel. Conversations with city officials indicated a desire to see uses adjacent to the park maintained in a compatable use. Specifically, they requested that those lands of the parcel north of Clear Creek be reserved for recreation/open space.

The Lower Clear Creek parcel is well suited for two basic types of uses Single family residential, if located on the sourhtern half of the parcel is a use compatiable to adjacent uses, zoning, and the physical site characteristics. Light industrial and commercial uses are compatable with the eastern edge of the parcel. As previously mentioned, present land uses and zoning adjacent to the east side of the parcel are predominantely industrial/commercial.

Projected housing demands for the Tribe and phasing requirements for development indicate that development of the Lower Clear Creek parcel for housing would most likely not occur until the intermediate or long term. Residential development on the site consistent with adjacent zoning (A-1 - Acre Agricultural), could accomodate between 40 and 60 housing units.

Light industrial and/or commercial development on the parcel will likely also occur only in the intermediate or long term. The establishment of an industrial area could provide tribal revenues through leasing of sites and employment for Tribal members.

In addition, recreation type uses are possible for the northeastern portion of the parcel. Specifically, Carson City indicated an interest in seeing land uses adjacent to Fuji Park be recreational in nature. Picnic areas, equestrian center, and play fields are complementary uses of the parcel. Recreation development could be done partially in support of the previously described housing uses. Proposed land uses for the parcel are illustrated by Map 15.

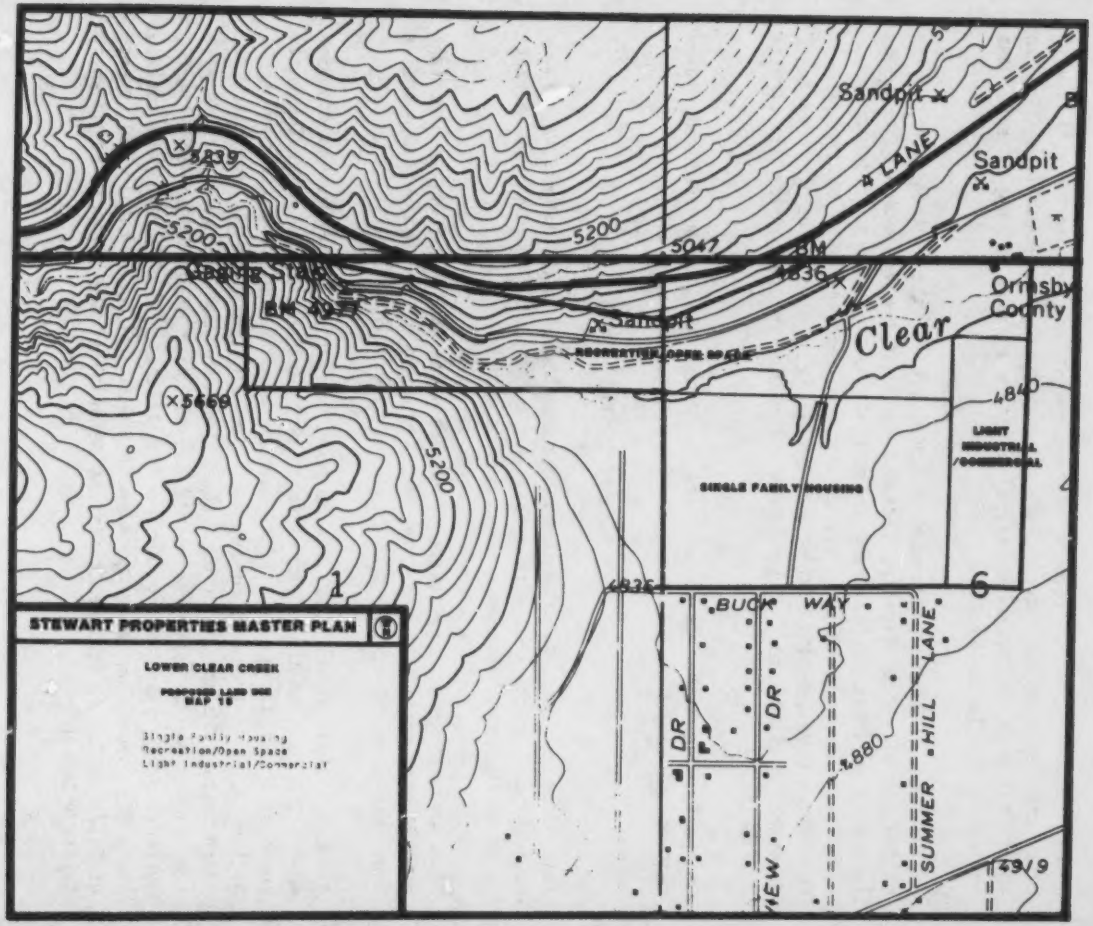
Initially, the Washoe Tribe proposes to leave the site undeveloped, maintaining its condition for future development potential.

STEWART SCHOOL

This parcel of land is surrounded by a multitude of small parcels of various ownerships. No concerns with tribal use are expected as long as adherence to existing zoning and surrounding uses is made.

As a means of generating revenues for the Tribe while meeting an important need in the Carson City area, the Tribe proposes to develop rentable mobile home spaces on the western portion of the Stewart School parcel.

Assuming lot sizes of 7,000 square feet, the Tribe could develop approximately 250 lots on the 50 acres being described as generally as the north one-quarter of the southwest one-quarter of the southwest one-quarter of Section 32. As proposed, development would be phased with development of approximately 50 spaces in each phase. Development costs associated with the project would be approximately $7,000 which includes streets, curbs, gutters, water and sewer systems, and utilities. Total development cost by phase (50 spaces) would be approximately $350,000 for a total (250 spaces) of $1,750,000. Anticipated costs and benefits of the project are shown in Tables 9 and 10.


STEWART PROPERTIES MASTER PLAN
LOWER CLEAR CREEK
PROPOSED LAND USE
MAP 15
Single Family Housing
Recreation/Open Space
Light Industrial/Commercial
Sandpit
LANE
5200
5047
BM
4836
Orinsby
County
Clear
Sandpit
RECREATIONAL OPEN SPACE
5669
4840
LIGHT
INDUSTRIAL
/COMMERCIAL
SINGLE FAMILY HOUSING
5200
1
6
BUCK
WAY
DR
DR
4880
SUMMER
HILL
LANE
4979

To meet the previously described demand for housing by Washoe Tribal members development of single family residences and multifamily residences is suggested for lands on the Stewart School parcel just north of the Stewart School. Single family residential and multifamily duplex type units are compatable with surrounding land uses and zoning.

As proposed development of single and multifamily units would be phased to accomodate demands for housing in the short, intermediate, and long term. Those demands are shown on Table 5. Proposed land uses for the Stewart School parcel are shown on Map 16.

TABLE 9
ENTERPRISE BUDGET
50 Space Mobile Home Park

I.	COSTS	
	A. Space Development	
	50 spaces @ $7,000 = $350,000. Assume 50% matching funds are borrowed @ 14%.	
	Annual Amortization	$25,025
	B. Operation and Maintenance	
	1 person full time	16,000
	Repairs	2,000
	Supplies	2,000
	ESTIMATED COSTS	$45,025
II.	INCOME	
	A. Space Rent	
	50 spaces @ $100/month	$60,000
III.	NET INCOME	$14,975

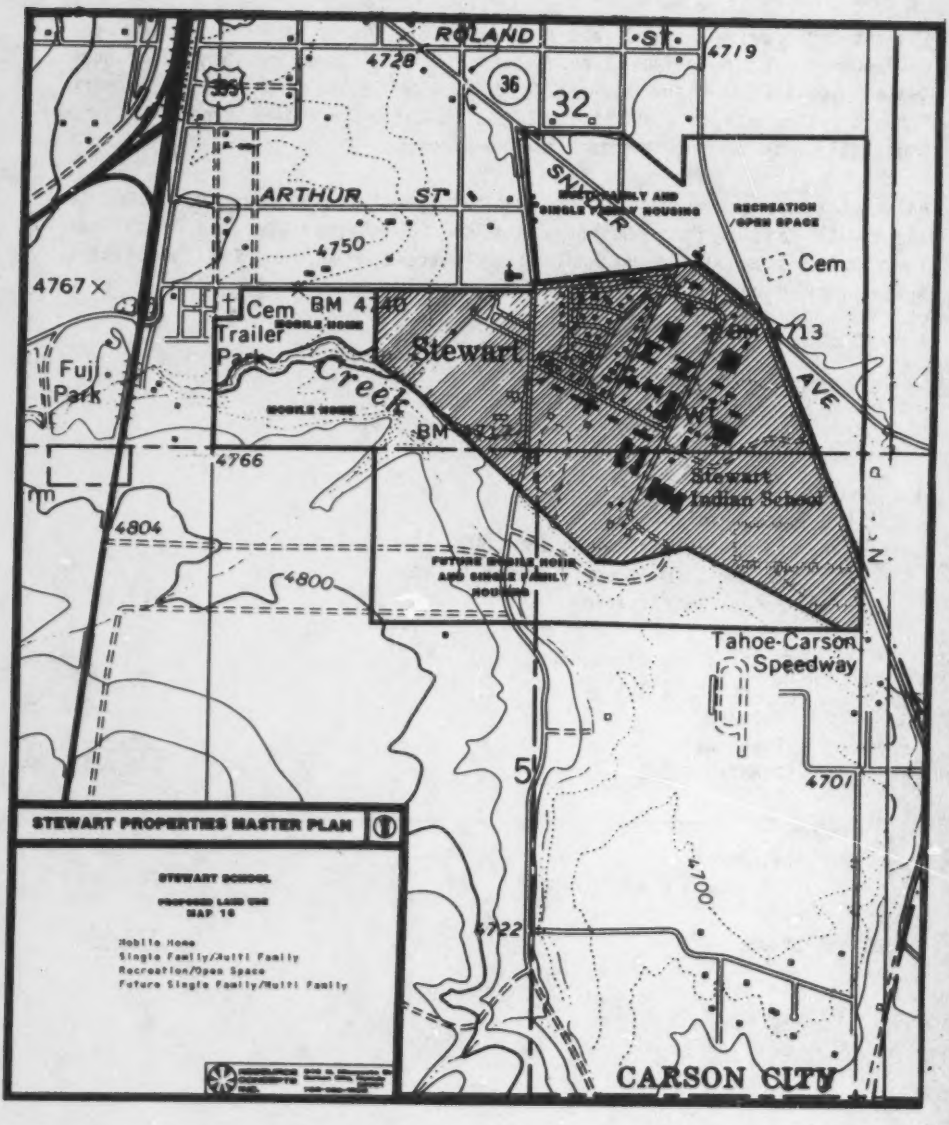

ROLAND
ST
4719
4728
36
32
ARTHUR
ST
4750
4767
Cem
BM 4746
Trailer
Park
Fuji
Park
Creek
Stewart
13
AVE
BM
4766
4804
4800
Stewart
Indian School
Tahoe-Carson
Speedway
5
4701
4700
4722
CARSON CITY
STEWART PROPERTIES MASTER PLAN
STEWART SCHOOL
MAP 10
Mobile Home
Single Family/Multi Family
Recreation/Open Space
Future Single Family/Multi Family

TABLE 10
ENTERPRISE BUDGET
250 Space Mobile Home Park

I.	COSTS	
	A. Space Development	
	250 spaces @ $7,000 = $1,750,000. Assume 50% matching funds are borrowed @ 14%.	
	Annual Amortization	$125,125
	B. Operation and Maintenance	
	2 person full time	32,000
	Repairs	8,000
	Supplies	8,000
	ESTIMATED COSTS	$173,125
II.	INCOME	
	A. Space Rent	
	250 spaces @ $100/month	$300,000
III.	NET INCOME	$126,875

Discussions with officials from Carson City indicated a desire on the City's part to be able to utilize some of the water tied to the Stewart lands from Clear Creek. In an effort to demonstrate the availability of water to meet tribal and other potential demands Table 11 has been prepared. The table lists the proposed level of development for the Stewart School parcel and indicates associated population and water demands. The table indicates that all proposed development by the Tribe on the Stewart School parcel would utilize approximately 12 percent of the water tied to Stewart properties.

TABLE 11
STEWART SCHOOL PARCEL
RESIDENTIAL HOUSING LAND USE PLAN AND ASSOCIATED
WATER REQUIREMENTS

	TOTAL NUMBER OF UNITS			ACREAGE REQUIREMENTS			DEVELOPMENT POPULATION[1]		
HOUSING TYPE	1981-1984	1985-1987	1988-1992	1981-1984	1985-1987	1988-1992	1981-1984	1985-1987	1988-1992
MOBILE HOME PARK (public)	125	250	250	25	50	50	338	675	675
SINGLE FAMILY (tribal)	26	51	71	15	30	45	96	189	263
MULTI-FAMILY (tribal)	14	34	59	6	15	25	32	78	136
TOTALS	165	335	380	46	95	120	466	942	1074

[1]/Utilizing a per household average of 3.7 for tribal single family, 2.3 for tribal multi-family and 2.7 for public mobil home park.

TABLE 11 (Continued)
STEWART SCHOOL PARCEL
RESIDENTIAL HOUSING LAND USE PLAN AND ASSOCIATED
WATER REQUIREMENTS

HOUSING TYPE	ANNUAL WATER REQUIREMENTS[2]			ANNUAL EXCESS CLEAR CREEK WATER[3]		
	1981-1984	1985-1987	1988-1992	1981-1984	1985-1987	1988-1992
MOBILE HOME PARK (public)	21.5	42.8	42.8	525.0	503.7	503.7
SINGLE FAMILY (tribal)	6.1	12.0	16.7	540.4	534.5	529.8
MULTI-FAMILY (tribal)	2.0	4.9	8.6	544.5	541.6	537.9
TOTALS	29.6	60.7	68.1	516.9	485.8	478.4

2/Per capita water requirement of 174.0 gallons per capita per day or 5,000 gallons per year.

3/Based upon Clear Creek Rights totalling 1,677 acre feet or 546.5 million gallons.

SILVERADO

Bisected by U. S. 395 and adjacent to areas of light residential land uses, potential future land uses include commercial and residential. In addition, a KOA Campground has been proposed for land just south of the parcel. This project has reportedly been slowed because of soil limitations. Development of this project on tribal lands (no known soil limitations) is a possibility.

Until a greater concentration of population near the site occurs the potential for commercial development appears limited. Use of the parcel for Tribal or public housing is a possibility but again holds little immediate potential.

Initially, the Tribe would propose to maintain the lands for future development potential.

STEWART-RANCH

Meetings with Mr. John Ascuaga, owner of lands adjacent to the west of the Stewart Ranch, indicated that as long as the lands are utilized for agriculture he has no conflict and in fact would support the Tribe in its attempt to get the lands.

Conversations with representatives of the Bureau of Land Management which administers lands adjacent to the north of the ranch had no conflict with the Tribe obtaining ownership. Initial conversations with representatives of the Nevada Division of Wildlife, indicated their desire to see the ranch utilized for agriculture.

As was previously discussed, the Washoe Tribe presently operates the Washoe Ranch producing cattle and hay. The ranch is presently undergoing an intense reorganization designed to increase productivity. In addition, as was previously mentioned, the Tribe has a full line of modern equipment to support present and additional agricultural operations.

Ranch Analysis Techniques

The present economic position of the Washoe and Stewart Ranches were estimated from resource and income/cost information supplied by Mr. Jerry Emm, ranch manager. From the resource and income/cost data gathered, linear programming computer models were developed to estimate the maximum level of net income (net of variable costs) that could be obtained at various stages of ranch development. The profit maximizing level of income and "optimal" Management Strategy was determined for the following levels of ranch development:

1. Washoe ranch managed with present resources.
2. Stewart ranch managed with present resources.
3. Washoe and Stewart ranches combined and managed with present resources.
4. Stewart ranch fully developed.
5. Washoe and Stewart ranches combined and managed with Stewart ranch fully developed.

The budgets presented for each ranch development scenario reflects the "optimal" or profit maximizing Management Strategy. This may or may not correspond to present or projected management schemes.

Optimal Management Strategies

Washoe Ranch - Current Resources

The Washoe Ranch, after completion of the intensive reorganization plan, will have 474 total irrigated acres. Of these, 195 acres will be alfalfa hayland and 279 acres will be irrigated pasture. In addition, an additional 100 acres of dryland rangeland is available for livestock grazing.

An average hay yield of 4.5 tons per acre, similar to the average for Carson Valley, was used in the analysis. Irrigated pasture was projected at 5 AUMs[1] per acre while dryland range was projected at 20 acres per AUM. Washoe ranch would then have enough pasture and range forage for 114 brood cows and additional required livestock compliment (i.e., bulls, horses, sale yearlings, replacements) during the spring, summer, and fall when range forage is typically used.

The Washoe ranch would provide ample winter forage for the optimal herd size of 114 brood cows. In addition, the Washoe Tribe can presently sell 576 tons of alfalfa hay.

Table 12 presents a budget which reflects the optimal Management Strategy for the Washoe ranch after completion of the present improvement plan. The Tribe could make an annual net return over variable costs of $27,584 under optimal management.

1/ An AUM is the amount of forage required to maintain one cow and calf or their equivalent for one month.

TABLE 12

OPTIMAL MANAGEMENT STRATEGY
FOR WASHOE RANCH MANAGED
WITH PRESENT RESOURCES

I. INCOME		VALUE
1. Steer Yearlings	(50 head @ $548.)	$ 27,400.
2. Heifer Yearlings	(28 head @ $476.)	13,328.
3. Cull Cows	(23 head @ $452.)	10,396.
4. Cull Bulls	(5 head @ $847.)	4,235.
5. Hay Sales	(576 tons @ $75.)	43,200.
6. TOTAL SALES		$ 98,559.
II PRODUCTION VARIABLE COSTS		
1. Livestock Expenses		$ 19,746.
2. Hay Production	(195 acres @ $225.)	43,875.
3. Irrigated Pasture	(279 acres @ $26.)	7,254.
4. TOTAL VARIABLE COSTS		$ 70,875.
III. NET RETURN OVER VARIABLE COSTS OF PRODUCTION		$ 27,684.

Optimal cow herd size = 114 head

Stewart Ranch - Current Resources

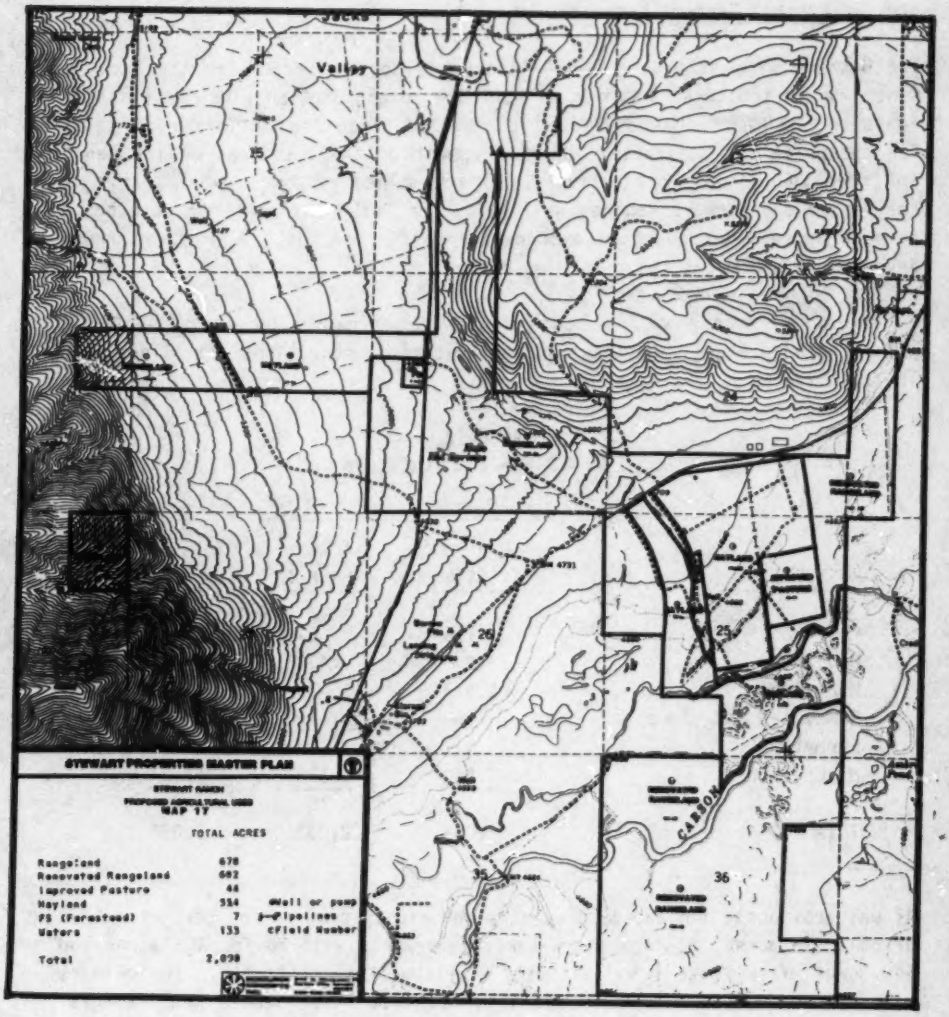
The Washoe Tribe of Nevada and California proposes to utilize the Stewart Ranch for agricultural purposes. The Tribe in conjunction with its existing lease on the Ranch, has developed a detailed ranch plan. This plan calls for intensive reorganization and development of the resources on the Ranch in order to increase productivity. The combined resource availability of the Washoe and Stewart Ranches will allow the Tribe to lower per unit costs through increased production and operating efficiencies. A proposed ranch development scheme is shown on Map 17.

As proposed, improvement of the Stewart Ranch would be accomplished in phases. Those phases and the existing resource combinations are illustrated in Table 13.

TABLE 13
STEWART RANCH LAND USE PLAN

RESOURCE TYPE	ACRES EXISTING	ACRES PHASE I	ACRES ULTIMATE
Pasture	116	64	44
Hayland	230	421	554
Rangeland	1,613	1,473	678
Renovated Rangeland	----	----	682
Farmstead	7	7	7
Miscellaneous	133	133	133
TOTAL	2,098	2,098	2,098

As was previously indicated, present water rights provide for the irrigation of only 170 acres. Irrigation water requirements will be for 465 acres and 598 acres after Phase I and ultimate development respectively. Two primary alternatives are available to the Tribe to meet water supply requirements. Those include developing ground water sources (wells) and the use of effluent. In either case, assuming water requirements of 4.25 acre feet per acre a total water supply of 2,542 acre feet will be needed under ultimate development. Recalling that rights to irrigate 170 acres or approximately 723 acre feet exist, a balance of 1,819 acre feet is needed.


Valley
CARSON
35
36
STEWART PROPERTIES MASTER PLAN
TOTAL ACRES
Rangeland 678
Renovated Rangeland 642
Improved Pasture 46
Hayland 334
PS (Forestood) 7
Waters 133
Total 2,038
Well or pump
Pipelines
Field Number

A total of three wells would most likely be necessary to produce the needed water for ultimate development. Well and associated pipeline development costs would be approximately $100,000. In addition, energy costs associated with pumping could be significant.

The second water supply alternative available to the Tribe involves using effluent produced in the Lake Tahoe Basin by the Incline Village General Improvement District (IVGID). Presently the District pumps effluent over the Carson Range via a pipeline located 3-4 miles north of the Stewart Ranch. A portion of the effluent is presently utilized for irrigation by Mr. Harry Schneider on lands located northwest of the ranch.

IVGID is presently investigating alternative methods for disposing of additional effluents being generated. The District, during its planning process has determined that a total of 735 acres could be irrigated with the effluent. Of that amount, approximately 250 acres worth is utilized by Mr. Schneider. IVGID's plans indicated that the Stewart Ranch lands lend themselves well to utilization of the remaining effluent. A total of 503 acres could be irrigated on Stewart Ranch with effluent from IVGID.

The use of effluents by the Tribe would provide a solution to an environmental problem as well as increase productivity at the Stewart Ranch. Effluent use would also be desirable from a cost standpoint. It is anticipated that IVGID would be willing to bear most all development costs associated with the effluent system.

Directly related to a lack of adequate water resources for proper irrigation was poor forage production on existing hayland on the Stewart Ranch during 1980. The best hay yield obtained in 1980 was on field 12 at 3 tons per acre, while the worst yield was on field 9 at .6 tons per acre.

Estimated acres per AUM ratios on rangeland range from 8 acres per AUM on fields, 7, 15, and 16 to 10 acres per AUM on fields, 1, 2, and 5. In addition, the Tribe has 300 AUMs available for grazing from April 16 to June 16 on the Indian Hills BLM Allotment.

Using present yields and resources, discussed above, the optimal Management Strategy for the Stewart ranch would be to raise 24 herd of brood cows (Table 14). One hundred ninety seven tons of hay would be sold. The resulting net return over variable costs of production would be $7,572. When fixed ownership costs are considered, net returns would undoubtedly be negative.

Low net returns can mostly be attributed to poor hay yields. The weighted average variable costs of hay production ($95.00/acre) nearly equals the value of the hay produced. On field 9 where only a .6 tons per acre hay yield was obtained, variable costs of production exceeded the value of the hay produced.

Note from Table 14 that the optimal Management Strategy under existing resources on the Stewart Ranch would only use 93 AUMs of the available from the BLM permit. This follows because of the short permitted season of use of the BLM permit. The permit allows 150 head for 2 months in the spring. However, the Stewart Ranch, under current production, does not have enough forage to feed nearly that many cattle during the rest of the year.

TABLE 14

OPTIMAL MANAGEMENT STRATEGY
FOR STEWART RANCH MANAGED
WITH PRESENT RESOURCES

I. INCOME		VALUE
1. Steer Yearlings	(10 head @ $548.)	$ 5,480.
2. Heifer Yearlings	(6 head @ $476.)	2,856.
3. Cull Cows	(5 head @ $452.)	2,260.
4. Hay Sales	(197 tons @ $75.)	14,775.
6. TOTAL SALES		$ 25,371.
II PRODUCTION VARIABLE COSTS		
1. Livestock Expenses		$ 3,045.
2. Hay Production	(153 acres @ $95.)	14,535.
3. BLM Permit	(93 AUMs @ $2.36)	219.
4. TOTAL VARIABLE COSTS		$ 17,799.
III. NET RETURN OVER VARIABLE COSTS OF PRODUCTION		$ 7,572.

Optimal cow herd size = 24 head

Washoe and Stewart Ranches Combined - Current Resources

The Stewart Ranch, if managed at current resource production; would add $8,705 to net revenue of the Washoe Tribe if managed in conjunction with the Washoe Ranch. This would represent a $1,133 increase in net revenue over the net revenue added when the two Ranches are managed separately.

This follows since by combining the two ranch units, the Washoe Tribe would be able to fully utilize the Indian Hills BLM Allotment. The irrigated pasture on the Washoe Ranch would provide the additional summer and fall grazing necessary to support a herd size large enough to utilize the BLM permit in the allowed two month spring season of use.

By combining the Washoe and Stewart Ranches, an optimal combined herd size of 1,523 head of brood cows could be raised while still selling 735 tons of alfalfa hay. Total net revenue (over variable costs and Stewart Ranch development costs) would be $36,389.

TABLE 15

OPTIMAL MANAGEMENT STRATEGY
FOR WASHOE AND STEWART RANCHES MANAGED
WITH PRESENT RESOURCES

I. INCOME		VALUE
1. Steer Yearlings	(66 head @ $548.)	$ 36,168.
2. Heifer Yearlings	(37 head @ $476.)	17,612.
3. Cull Cows	(30 head @ $452.)	13,560.
4. Cull Bulls	(4 head @ $847.)	3,388.
5. Hay Sales	(735 tons @ $75.)	55,125.
6. TOTAL SALES		$125,853.
II PRODUCTION VARIABLE COSTS		
1. Livestock Expenses		$ 23,139.
2. Hay Production	(348 acres @ $168.)	58,363.
3. Irrigated Pasture	(279 acres @ $26.)	7,254.
4. BLM Permit	(300 AUMs @ $2.36)	708.
5. TOTAL VARIABLE COSTS		$ 89,464.
III. NET RETURN OVER VARIABLE COSTS OF PRODUCTION		$ 36,389.

Optimal combined cow herd size = 152 head

Gaining ownership of the Stewart Ranch by the Washoe Tribe and developing it to its maximum potential has associated with it a certain level of benefits and costs. Benefits associated with the Ranch include increased financial returns and employment opportunities. Primary costs to be considered include development, operation, and maintenance.

Development costs associated with improving existing conditions to those relative to Phase I and ultimate development are shown in Tables 16 through 18. The tables indicate that development to achieve full agricultural production potential on the Stewart Ranch will likely cost between $300,000 and $400,000.

Funding for ranch development include FmHA, FHA and EDA grants, and possible long term debt.

TABLE 16
DEVELOPMENT COSTS
STEWART RANCH - PHASE I

ITEMS	SPECIFICATIONS	COST
Land Development		
Hayland (139 acres formerly rangeland)		
Shaping and grading	$120/acre	$ 16,680
Fencing	1 mile @ $3,000	3,000
Well Costs		
Test wells (2)	300 feet @ $8	4,800
Well and Casing (2)	16-inch casing, 300 feet @ $75	45,000
Well Components		
Pumps and gearhead (2)		29,000
Electrical components (2)		6,000
Sprinkler System		
Side roll assembly	2 sets @ $38,000	76,000
TOTAL DEVELOPMENT COSTS		$180,480

TABLE 17
DEVELOPMENT COSTS
STEWART RANCH - ULTIMATE DEVELOPMENT
(exclude Phase I costs)

ITEMS	SPECIFICATIONS	COST
Land Development		
Hayland (113 acres formerly rangeland)		
Shaping and grading	$120/acre	$ 13,560
Rangeland (682 acres renovated)		
Brush removal	$15/acre	10,230
Seeding and disc	$20/acre	13,640
Fencing	2 mile @ $3,000	6,000
Well Costs		
Test wells (1)	300 feet @ $8	2,400
Well and Casing (1)	16-inch casing, 300 feet @ $75	22,500
Well Components		
Pumps and gearhead (1)		14,500
Electrical components (1)		3,000
Sprinkler System		
Side roll assembly	1 sets @ $38,000	38,000
TOTAL DEVELOPMENT COSTS		$123,830

TABLE 18
DEVELOPMENT COSTS
STEWART RANCH - ULTIMATE DEVELOPMENT
(Phase I costs included)

ITEMS	SPECIFICATIONS	COST
Land Development		
Hayland (252 acres formerly rangeland)		
Shaping and grading	$120/acre	$ 30,240
Rangeland Renovation (682 acres)		
Brush removal	$15/acre	10,230
Seeding and disc	$20/acre	13,640
Fencing	3 mile @ $3,000	9,000
Well Costs		
Test wells (3)	300 feet @ $8	7,200
Well and Casing (3)	16-inch casing, 300 feet @ $75	67,500
Well Components		
Pumps and gearhead (3)		43,500
Electrical components (3)		9,000
Sprinkler System		
Side roll assemblies (3)		114,000
TOTAL DEVELOPMENT COSTS		$304,310

Table 19 presents the optimal management strategy of the Stewart Ranch following implementation of utlimate proposed development. Development costs (i.e., renovation of range, wells, sprinklers, hayland development) were amortized over the expected life of the various development projects. An annual cost of development was included in the analysis. Thus, budgets presented reflect the situation where the Washoe Tribe would pay for development costs of the Stewart Ranch. This would reflect a "worst case" gain to the Tribe whereby no grants or outside financial assistance was necessary for ranch development.

Optimal cow herd size following ranch development would increase from 24 head to 66 head. The main benefit would come from increased hay sales which would increase from 197 tons to 2,317 tons. Thus, the optimal management strategy would be for the Washoe Tribe to become hay producers.

Annual net returns over variable costs, including yearly payments on ranch development costs would increase by $38,628 from $7,572 to $46,200. Thus, substantial ecomonic benefits could be realized from development of the Stewart Ranch as proposed.

TABLE 19

OPTIMAL MANAGEMENT STRATEGY FOR STEWART RANCH
WITH ULTIMATE RANCH DEVELOPMENT

		Value
I.	Income	
	1. Steer Yearlings (29 head @ $548.00)	$ 15,892.00
	2. Heifer Yearlings (16 head @ $476.00)	7,616.00
	3. Cull Cows (13 head @ $452.00)	5,876.00
	4. Cull Bulls (2 head @ $847.00)	1,694.00
	5. Hay Sales (2,317 tons @ $75.00)	173,775.00
	6. TOTAL SALES	$204,853.00
II.	Production Variable Costs	
	1. Livestock Expenses	$ 9,326.00
	2. Hay Production (554 acres @ $258)	142,932.00
	3. Irrigated Pasture (44 acres @ $69)	3,036.00
	4. BLM Permit (259 Sums @ $2.36)	611.00
	5. Renovated Rangeland (687 acres @ $4.00)	2,653.00
	6. TOTAL VARIABLE COSTS	$158,683.00
III.	Net Return Over Variable Costs of Production	46,200.00

Optimal cow herd size = 66 head

Washoe and Stewart Ranches - Ultimate Development

Under ultimate development of the Stewart Ranch, when managed in conjunction with the Washoe Ranch, maximum benefits to the Washoe Tribe would be realized . A maximum annual net return of $74,107.00 could be realized by managing the Stewart and Washoe ranches together follows ultimate development of the Stewart Ranch property.

An optimal herd size of 183 brood cows could be raised while, in addition, the tribe would become major hay producers; selling 2,886 tons of alfalfa hay.

TABLE 20

OPTIMAL MANAGEMENT STRATEGY FOR WASHOE and
STEWART RANCHES WITH ULTIMATE RANCH DEVELOPMENT

		Value
I.	Income	
	1. Steer Yearlings (80 head @ $548.00)	$ 43,840.00
	2. Heifer Yearlings (44 head @ $476.00)	20,944.00
	3. Cull Cows (37 head @ $452.00)	16,724.00
	4. Cull Bulls (5 head @ $847.00)	4,235.00
	5. Hay Sales (2,886 tons @ $75.00)	216,450.00
	6. TOTAL SALES	$302,193.00
II.	Production Variable Costs	
	1. Livestock Expenses	$ 27,044.00
	2. Hay Production (749 acres @ $250.00)	187,250.00
	3. Irrigated Pasture (323 acres @ $32.00)	10,336.00
	4. BLM Permit (300 Aums @ $2.36)	708.00
	5. Renovated Rangeland (687 acres @ $4.00)	2,748.00
	6. TOTAL VARIABLE COSTS	$228,086.00
III.	Net Return Over Variable Costs of Production	$ 74,107.00

Optimal cow herd size = 183 head

Hobo Hot Springs

A resource requiring special attention at the Stewart Ranch relative to development is the geothermal site commonly known as Hobo Hot Springs. While the surface flow quanitites at the site are unknown, irrigation is one potential use of the resource. Use of warm water offers some possible benefits such as: lengthening the growing season for forage crops and thus extending the grazing season for animals - earlier spring feed and later fall pasture.[1]. Applications of geothermal waters to haylands such as alfalfa to encourage early growth are not uncommon. In addition, greenhousing is a common use of geothermal sources. In Nevada, geothermal heated greenhouses are or have been located at Elko and Wabauska.

Nonagricultural uses of geothermal resources are also common. Those include industrial process heat, recreation, and residential or institutional space heating systems. An evaluation of the Hobo Hot Springs site to determine the probability rating for direct utilization for industrial or residential applications is shown in Tables 21 and 22.

As Table 21 indicates, the probability function for direct utilization of the resource for industrial and residential space heating applications are moderate (+) and low (-), respectively. Based upon these estimates, the site is suited for industrial applications with development costs higher than preferable due to site and resource characteristics. For residential space heating purposes, (Table 22) the site characteristics are such that the cost of utiliztion would make residential use hard to justify.

Use of the Hobo Hot Springs site for commercial recreation purposes may be feasible. Carson Hot Springs, a popular geothermal recreation area, has water temperatures which are rated as 24 C (75 F). Recall that Hobo Hot Springs has a known surface temperature of 46 C (115 F).

Pursuant to the decision of uses for Hobo Hot Springs, the Washoe Tribe will seek to have extensive down gradiant (sub-surface) resource evaluations conducted. These analyses will more clearly define the ultimate development potential of Hobo Hot Springs and consequently the Stewart Ranch.

---

[1]/Aerojet Nuclear Company, "Use of Geothermal Water for Agriculture", 1975.

TABLE 21
HOBO HOT SPRINGS
INDUSTRIAL PROCESS HEAT
UTILIZATION PROBABILITY[1]

SITE CHARACTERISTICS		WEIGHTING FACTOR	RANK	PRODUCT
Temperature	45°	1	81	81
Water Chemistry				
pH	8-9			
TDS	0-500	2	27	54
Accessibility	1 mile	2	9	18
Population Centers	0	0	3	0
Depth to Resource	surface	2	1	2
TOTAL				155
PROBABILITY FUNCTION RATING =		MODERATE (+)		

TABLE 22
RESIDENTIAL SPACE HEATING
UTILIZATION PROBABILITY[1]

SITE CHARACTERISTICS		WEIGHTING FACTOR	RANK	PRODUCT
Population Centers		0	81	0
Depth to Resource	surface	2	27	54
Temperature	46°C	1	9	9
Water Chemistry				
pH	8-9			
TDS	0-500	2	3	6
Areal Extent	0	0	1	0
TOTAL				69
PROBABILITY FUNCTION RATING		LOW (+)		

[1]/Methodology from Trexler, Koening, and Flynn, "Explanation of Direct Utilization Potential Evaluation Technique for the State of Nevada Geothermal Assessment Map," July 1979.

APPENDIX A

The purpose of this appendix is to document the presentation of Tribal plans relative to the Stewart Lands to various adjacent land owners and interested governmental entities. Persons or entities to which Tribal plans were presented include:

Mr. Andrew Burnham	Douglas County - Planning Director
Mr. Doc Smith	USFS-Toiyabe N.F. - District Ranger
Mr. Doyle Hanks	USFS-Toiyabe N.F.
Mr. Bob Larkin	USFS-Toiyabe N.F.
Mr. Don Hataway	Carson City - City Manager
Mr. Larry Werner	Carson City - Director of Public Works
Mr. John Sweetland	Nevada Department of Transportation - Engineering/Planning
Mr. Jim Fox	Bureau of Land Management
Mr. Rudy Reimold	Bureau of Land Management
Mr. Joe Greenley	Nevada Division of Wildlife - Director
Mr. Harry Schneider	Adjacent Landowner - Rancher
Mr. John Ascuaga	Adjacent Landowner - Rancher
Mr. Ted Stokes	Adjacent Landowner
Mr. Arnold Settlemyer	Adjacent Landowner - Rancher

In addition several attempts were made to meet with Mr. Harvey Gross, adjacent landowner and rancher. Efforts to meet with Mr. Gross were continuing at publication of this report.

Several of the individuals listed above forwarded letters of review and/or support to the Washoe Tribe regarding their efforts to acquire the Stewart Lands. Copies of those letters received are shown in the following pages.

United States Department of the Interior

IN REPLY REFER TO
2325
(N-037)

BUREAU OF LAND MANAGEMENT
District Office
1050 E. William St., Ste. 335
Carson City, Nevada 89701

APR 2 1981

Resource Concepts, Inc.
340 N. Minnesota Street
Carson City, Nevada 89701

Dear Gentlemen:

We appreciate being given the opportunity to review the Washoe Tribe of Nevada and California's plans to utilize private lands formerly associated with the Stewart Indian School. Some of these lands are used in conjunction with the BLM's Jack's Valley Wildlife Management Area. Once the tribe finalizes the transfer of the school lands we should get together again to review management goals of both plans with regard to the grazing use. The tribe's desire to have the Stewart School lands transferred to a trust status as a part of the reservation, does not conflict with BLM plans in the future.

Sincerely yours,

Thomas J. Owen
District Manager

cc: Mr. Bob Frank
Washoe Tribe of Nv. & Cal.
Rt. 2 Box 68
Gardnerville, NV. 89410

CARSON CITY, NEVADA

March 26, 1981

Mr. Robert Frank, Chairman
Washoe Tribal Council
Route 2, Box 68
Gardnerville, NV 89410

Dear Bob:

Reference is made to the legislation that the Washoe Tribe intends to submit to the United States Congress for the purpose of transferring lands currently under the administration of the Bureau of Indian Affairs to the Tribe.

As we discussed, these lands are either in Carson City adjacent to Clear Creek and the Stewart Indian School, or in the northern part of Douglass County.

The purpose of this letter is two-fold. First, I would like to recognize the fact that our organizations have been meeting to determine if there are any areas of cooperation as they relate to water development, the use of effluent waste-water, and joint planning adjacent to Fuji Park. I feel that there are mutual areas of cooperation that would be beneficial to both parties.

Second, based on the first matter as well as the fact that I feel the administration of these lands could best be handled by a local entity, namely the Tribe, I would like to go on record, on behalf of the City, in support of this proposed transfer.

If I can provide you with any additional information, please feel free to call upon me.

Sincerely yours,

Don W. Hataway

Don W. Hataway
City Manager

DWH/js

cc: Board of Supervisors

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Carson Ranger District
1536 So. Carson Street
Carson City, NV 89701

April 1, 1981 5540

Robert L. Frank, Chairman
Washoe Tribal Council
Washoe Tribe of Nevada and California
Route 2, Box 68
Gardnerville, Nevada 89410

Dear Mr. Frank:

I have reviewed the proposal to transfer the BIA lands associated with Stewart Indian School to the Washoe Tribe.

The Toiyabe National Forest has no objection to this transfer except that the surplus lands within the Toiyabe National Forest should be retained by the United States as National Forest land. There are three parcels: approximately 160 acres in the W½ of the NE¼ Section 2; and the E½ of the NW¼ Section 2; and approximately 40 acres in the SE¼ of the NW¼ Section 21; and approximately 40 acres in the NE¼ of the NE¼ Section 28, all of T.14N., R.19E., MDB&M.

However, due to the special circumstances associated with the 160 acre parcel in Clear Creek (the W½ of the NE¼ Section 2; and the E½ of the NW¼ Section 2), we would not object to the Washoe Tribe acquiring it.

We do, however, strongly recommend that the 40 acre parcels in Sections 21 and 28 be retained as National Forest land.

Thank you for the opportunity to review and comment on the proposal.

Sincerely,

H B Smith

HIRAM B. SMITH
District Forest Ranger

PLANNING
DEPARTMENT

ANDREW BURNHAM
Director
(702) 782-5176

March 31, 1981

Bob Frank
Washoe Tribe
Route 2, Box 68
Gardnerville, NV 89410

RE: Plans for Stewart Properties

Dear Bob:

Thank you for the opportunity to review the Stewart property plans with your consultants from Resource Concepts and Brian Wallace, Tribal Program Planner.

Generally, the various components of the plan will be very compatible with the county's plans.

The provision of utilizing effluent from Incline Village for irrigation on the large farm parcel is noteworthy since the county strives to maintain and expand agriculture in the Carson Valley. The county is currently studying the potential use of Incline's effluent, as well as the other sewer entities effluent within the valley, to create a new agricultural area east of the county airport. Our information to date is positive, but more information and study is necessary. We will keep you advised as to our progress.

Douglas County is supportive of the Washoe Tribe's agressive planning approach to the Stewart lands and use of the property.

If you need any further information or if my office can be of any help, please let me know.

Sincerely,

Andrew R. Burnham
Planning Director

ARB:lm

cc: Mike Baughman
Resource Concepts

LAW OFFICES
THEODORE H. STOKES, LTD.
AREA CODE 702-882-2181 400 WEST KING STREET, SUITE 404 MAILING ADDRESS P. O. BOX 2440
CARSON CITY, NEVADA 89701

April 6, 1981

Robert L. Frank, Chairman
Washoe Tribe of Nevada & California
Route 2, Box 68
Gardnerville, NV 89410

Dear Mr. Frank:

I met today with Gerry Emm and Tom Johnson concerning the desire of your tribe to acquire the Stewart Indian School ranch land in Carson Valley from the Bureau of Indian Affairs. I had an opportunity to review the maps setting out your intended use of the ranch land and the other parcels you hope to acquire.

My son and I have owned and operated the Cradlebaugh Ranch in Carson Valley for the last few years. We have found Gerry Emm and his group to be very good neighbors and were distressed to hear the rumor that the BIA was going to offer the Indian ranch for sale.

I am now very pleased to know that your tribe is attempting to acquire the ranch and improve its productive capacity. I have no objections whatsoever and assure you of my full cooperation in whatever I might do to assist you in acquisition of the ranch property. I have no interests in or thoughts concerning the other properties shown on your map. However, I certainly would have no objection to your plans for acquiring them.

If I can be of any assistance, please advise.

Sincerely yours,

Theodore H. Stokes

THS:vr

NEVADA DEPARTMENT OF TRANSPORTATION

A. E. STONE
Director

TRANSPORTATION BOARD
ROBERT LIST, Governor, Chairman
RICHARD H. BRYAN, Attorney General
WILSON McGOWAN, State Controller

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 SOUTH STEWART STREET
CARSON CITY, NEVADA 89712

June 11, 1981

IN REPLY REFER TO

Mr. Robert L. Frank, Chairman
Washoe Tribal Council
Route 2, Box 68
Gardnerville, Nevada 89410

Dear Mr. Frank:

Thank you for your letter of May 18 and the copy of the final draft of the Stewart Ranch Land Use Plan.

The Department has reviewed the proposal of lands to be transferred to the Washoe Tribe and have no objection to a transfer. The only lands contiguous with those of the Nevada Department of Transportation are referenced as "Silverado" by Resource Concepts in their master plan. U.S. 395 runs through the property located approximately 2.5 miles south of the junction with U.S. 50. The Department's right-of-way varies from 250 feet to 350 feet in the proposed transfer area. The width of the existing right-of-way is adequate for the present two-lane facility. However, if the highway is developed to a four-lane divided road with frontage roads there may be additional right-of-way necessary.

I hope this information has been helpful and if you have any questions, please let me know.

Sincerely,

WILLIAM L. NAGEL
Assistant Director Engineering

WLN:JHS:cc

97-158 0 - 82 - 9

SETTELMEYER RANCHES, INC.
Arnold Settelmeyer
Route 3 Box 330
Minden, Nevada 89423

April 9, 1981

Mr. Bob Frank
Washoe Tribe of Nevada and California
Rt. 2, Box 68
Gardnerville, Nevada 89410

Dear Bob:

This letter is in support of the Washoe Tribe's effort to acquire title to the Stewart Indian School Ranch.

Being a ranching neighbor to both the Stewart School Ranch and the present tribal ranches, I can testify to the aggressive and improved managerial ability of the Tribe.

The new improvements on the ranches, the two modern tractors I see putting in ten-hour days, and the excellent plan prepared for the use of the school ranch are evidence of the vitality of the Tribe.

The combination of both ranches into one unit will be an asset to the Tribe, the County, and the State. I believe that the ranches will be self supporting. The use of Incline General Improvement District affluent would be beneficial to the ranch and would also help clean up the Carson River.

If there is any way in which I might help you with your effort, please contact me.

Incidentally, I would like to take this opportunity to express, as a member of the Douglas County School District Board of Trustees, appreciation for the excellent relationship between the School District and the Washoe Tribe. I know that my fellow Board Members, as well as District Administrators, are also very pleased with this relationship that we enjoy.

Sincerely,

Arnold Settelmeyer

Arnold Settelmeyer

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
P. O. Box 517, Minden, Nv 89423

June 19, 1981

Mr. Robert Frank, Chairman
Washoe Tribe of Nevada & California
Rt. 2, Box 68
Gardnerville, Nv 89410

Mr. Frank:

The Minden Field Office staff has worked with Washoe Tribe representatives to develop conservation plans for both the Washoe Ranch and the Stewart Ranch. Tribal officials have been receptive to our suggestions and have consulted with my specialists before embarking on new agricultural endeavors.

The Washoe Tribe currently has the managerial capabilities and adequate staff to complete conservation practices on their land.

Sincerely,

John R. Capurro
District Conservationist

JRC:rmm

Laxalt & Berry
ATTORNEYS AT LAW

PETER D. LAXALT
ROBERT GAYNOR BERRY

June 2, 1981

RENO OFFICE:
457 COURT STREET
RENO, NEVADA 89501
P.O. BOX 3578
TELEPHONE (702) 329-1318

CARSON CITY OFFICE:
412 NORTH DIVISION STREET
CARSON CITY, NEVADA 89701
P.O. BOX 2410
TELEPHONE (702) 883-0800

Reply to Reno

Robert L. Frank
Chairman
Washoe Tribal Council
Route Two, Box 68
Gardnerville, Nevada 89410

Dear Mr. Frank:

It was a pleasure to meet with you and Brian Wallace to discuss your "Master Plan" for acquisition and land use concerning the Stewart/Carson Valley lands.

I have been authorized by Mr. and Mrs. John J. Ascuaga and Double JA Land and Livestock to state to you their support of your plan of acquisition. Certainly, as time passes and there are "trials and errors" in day-by-day operations, the plan may require refinement and changes. We would hope to cooperate with you in such advice as we can give to implement a compatible plan and such changes as may be necessary.

As your neighbors, we would like to look forward to a continuing day-by-day dialogue in meeting our mutual goals. From our point of view, ownership and operation of the lands by a locally-controlled entity such as yours would be infinitely superior to dealing with the federal bureaucracy.

If you desire further information or statements, please let us know.

Good luck in your endeavors.

Sincerely,

PETER D. LAXALT

PDL/rr
cc: John Ascuaga P/C

Laxalt & Berry
ATTORNEYS AT LAW

PETER D. LAXALT
ROBERT GAYNOR BERRY

RENO OFFICE:
457 COURT STREET
RENO, NEVADA 89501
P.O. BOX 3578
TELEPHONE (702) 329-1318

CARSON CITY OFFICE:
412 NORTH DIVISION STREET
CARSON CITY, NEVADA 89701
P.O. BOX 2410
TELEPHONE (702) 883-0900

Reply to Reno

June 2, 1981

Robert L. Frank
Chairman
Washoe Tribal Council
Route Two, Box 68
Gardnerville, Nevada 89410

Dear Mr. Frank:

It was a pleasure to meet with you and Brian Wallace to discuss your "Master Plan" for acquisition and land use concerning the Stewart/Carson Valley lands.

I have been authorized by Mr. Harvey A. Gross and Harvey's James Canyon Ranch to state to you their support of your plan of acquisition. Certainly, as time passes and there are "trials and errors" in day-by-day operations, the plan may require refinement and changes. We would hope to cooperate with you in such advice as we can give to implement a compatible plan and such changes as may be necessary.

As your neighbors, we would like to look forward to a continuing day-by-day dialogue in meeting our mutual goals. From our point of view, ownership and operation of the lands by a locally-controlled entity such as yours would be infinitely superior to dealing with the federal bureaucracy.

If you desire further information or statements, please let us know.

Good luck in your endeavors.

Sincerely,

PETER D. LAXALT

PDL/rr
cc: Harvey A. Gross P/C
cc: Eldon Campbell P/C
cc: Richard Kudrna P/C
cc: George Farrell P/C

Corpus Christi Church
Snyder Avenue (Stewart)
P.O. Box 824
Carson City, Nevada 89701 (702) 882-1967

June 9, 1981

Mr. Robert Frank
Washoe Tribe
Gardnerville, Nevada 89410

Dear Mr. Frank:

Corpus Christi Catholic Church, Stewart, Nevada, is pleased to support the Washoe Tribe in proposing an Act to Congress, "To provide for certain lands to be held in trust for the Washoe Tribe of Nevada and California to be considered to be part of the Washoe Indian Reservation." It is our understanding that this proposal is supported by all other Indian tribes.

Corpus Christi Church was originally established primarily to serve the Indian student body and Indian community at Stewart, and it has done so for over thirty years. In order to accomplish this mission, substantial improvements have been made including the construction of the church, the rectory for the priests' residence and a parish hall. Since the closure of the Stewart Indian School, the church continues to serve Indians as well as non-Indians on an increasing scale.

The closure of the school and the proposed Act of Congress leaves the status of the church and its future development uncertain. We propose to resolve these questions by requesting that the church be included in the Act and the Catholic Diocese of Reno Las Vegas be granted title to 5.2 acres of land. The land so acquired would allow for the present uses and the future development of a school. We enclose a description of the land and the future use would be limited to a church, rectory, parish hall, school and related religious activities. As in the past, we intend to serve all races without discrimination.

Corpus Christi Church
Snyder Avenue (Stewart)
P.O. Box 824
Carson City, Nevada 89701 (702) 882-1967

We do not now have the funds to develop the school, but we anticipate a long range fund raising drive in the future when it appears that the development of a school would be feasible. Included in the development would be the school building, convent for teaching nuns, athletic field and parking areas. The described 5.2 acres should meet the land requirements for these purposes.

The property, with the present church, rectory and hall on it, would serve little purpose except as a church and the ground around the church that we seek for future church and school purposes is currently an undeveloped sagebrush area.

We will be happy to answer any questions you may have.

Very truly yours,

The Rev. James J. McGrath S.H.C.

Rev. James J. McGrath
Corpus Christi Church

encl.

Resolution No. RY-81-4

YERINGTON, NEVADA 89447

RESOLUTION OF THE
YERINGTON PAIUTE TRIBE

Be it resolved by the governing body of the Yerington Paiute Tribe:

WHEREAS, the Yerington Paiute Tribe of Nevada adopted and ratified their Constitution and By-Laws according to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935 (49 Stat. 378) and which was amended January 5, 1976, and

WHEREAS, the Department of Interior's Bureau of Indian Affairs recommended closure of the Stewart Indian School and received congressional endorsement which effectively closed Stewart in September of 1980, and

WHEREAS, the Nevada tribal groups desire to acquire Stewart since it's historical purpose defined enrollment specifically for Nevada's native Paiute, Washoe, and Shoshone peoples, and

WHEREAS, the Yerington Paiute Tribe is a member of the Inter-Tribal Council of Nevada, Inc. whose Board adopted a resolution supporting the Washoe Tribe's endeavor to acquire the Stewart property legislatively, and

WHEREAS, without the prior knowledge of, discussion of, and direction by the Yerington Paiute Tribal Council, the Yerington Paiute Tribal Chairman respectfully abstained from voting on the Washoe Tribe's request.

NOW THEREFORE BE IT RESOLVED, that the Yerington Paiute Tribal Council formally endorses it's support to the Washoe Tribe's legislative land withdrawl request.

BE IT FURTHER RESOLVED, that the Washoe Tribe respectfully consider the inclusion of Stewart proper within their application.

BE IT LASTLY RESOLVED, that the Washoe Tribe make every effort to acknowledge the intent, and desire of the Inter-Tribal Council of Nevada's Executive Board regarding the Stewart buildings, grounds, and planned use.

CERTIFICATION

It is hereby certified that the foregoing resolution of the governing body of the Yerington Paiute Tribe, of the Yerington Indian Reservation, composed of a Chairman and six members of whom -

1. Linda L. Howard
2. Pauline Johnson
3. Pamela Munoz
4. Robert Williams
5. Lawrence Conway
6. Josephine Rogers

FIVE constituting a quorum were present at a meeting held on the 25th day of MARCH 1981, and the foregoing resolution was adopted by an affirmative vote of 5 for and 0 against, pursuant to the authority contained under Article VI, Section 1(c) of the Yerington Paiute Tribe's Constitution and By-Laws.

Linda L. Howard, Tribal Chairman

ATTEST:

Sheila Hall 1s/ Sh
Sheila Hall, Recording Secretary

APPENDIX B

ITCN-81-6

RESOLUTION

INTER-TRIBAL COUNCIL OF NEVADA, INC.

STEWART LAND TITLE TO WASHOE'S

We, the Executive Board of the Inter-Tribal Council of Nevada, Inc., as the body composed of the elected representatives of the twenty-three (23) Indian reservations and colonies in Nevada and recognized by the State of Nevada as the duly chartered Indian organization which speaks for the wishes and desires of the state's Indian populaiton, do hereby resolve:

WHEREAS, the Inter-Tribal Council of Nevada, Inc. has a continuing interest in the health and well-being of the Indian population, and

WHEREAS, the Bureau of Indian Affairs (BIA) has decided to close the Stewart Indian School, south of Carson City, Nevada, and surrounding facilities and properties, and

WHEREAS, the Stewart Indian School, facilities, and properties were created for use by the Nevada Tribes for education and vocational purposes, and

WHEREAS, the Inter-Tribal Council of Nevada desires to retain the Stewart Indian School, facilities and properties for the beneficial uses of the Nevada Tribes, and

WHEREAS, the Washoe Tribe of Nevada and California is seeking congressional support to sponsor legislation to hold all properties in trust for the Washoe Tribe, and

WHEREAS, the Stewart school property is located within the original boundaries of the Washoe aboriginal lands, and

WHEREAS, the Washoe Tribe has completed extensive preliminary plans for the future use of the aforementioned land and facilities,

NOW THEREFORE BE IT RESOLVED, the Inter-Tribal Council of Nevada supports and endorses all endeavors of the Washoe Tribe to have the Stewart Indian School, facilities and properties held in trust on behalf of the Washoe Tribe, and

BE IT FURTHER RESOLVED, the Washoe Tribe proceed with the utmost haste to have the Nevada Congressional Delegation introduce legislation to hold in trust the lands for use by the Washoe Tribe as they deem proper.

CERTIFICATION

The foregoing resolution was adopted at a duly called meeting of the Inter-Tribal Council of Nevada, held on the 19th day of March, 1981 at Las Vegas, Nevada, by an affirmative vote of 10 for, 0 against, and 2 abstentions.

Linda Howard, Secretary
ITCN Executive Board

Resolution No. ITCN-80-24

RESOLUTION

INTER-TRIBAL COUNCIL OF NEVADA, INC.

Stewart Indian School Properties

We, the Executive Board of the Inter-Tribal Council of Nevada, Inc., as the body composed of the elected representatives of the twenty-three Indian Reservations and Colonies in Nevada and recognized by the State of Nevada as the duly chartered Indian Organization which speaks for the wishes and desires of the State's Indian population, do hereby resolve:

WHEREAS, the Inter-Tribal Council of Nevada, Inc., has a continuing interest in the health and well-being of the Indian population; and

WHEREAS, the Executive Board of the Inter-Tribal Council of Nevada, Inc., is comprised of the Chairmen of the federally recognized tribes in the State of Nevada and whose charter is ratified by these same tribes; and

WHEREAS, Stewart Indian School is scheduled to officially close by September 30, 1980 by a Bureau of Indian Affair's directive; and

WHEREAS, Stewart Indian School is recognized by Nevada Indian Tribes as a special asset to Indians; and

WHEREAS, the Bureau of Indian Affairs has the responsibility to preserve and maintain Indian Trust Lands and Facilities; and

WHEREAS, the Nevada Indian Tribes wishes Stewart Indian School to be preserved and maintained for a variety of programs and/or services which will benefit Indians of Nevada including housing of the Western Nevada Agency.

NOW THEREFORE BE IT RESOLVED that the Inter-Tribal Council of Nevada, Inc., Executive Board requests the Bureau of Indian Affairs to preserve and maintain all Stewart Indian School properties.

BE IT FURTHER RESOLVED that these properties not be declared surplus as there are sufficient program and/or service needs to justify their continued existence one of which is the Western Nevada Agency.

BE IT FURTHER RESOLVED that the Executive Board of Inter-Tribal Council of Nevada, Inc., supports a lease permit arrangement between the Bureau of Indian Affairs and the Washoe Tribe of Nevada and California for the management of Stewart Indian School Properties (Project SISP) until final disposition is reached.

BE IT FURTHER RESOLVED that the Washoe Tribe will sub-lease needed space in buildings certified usable to the Western Nevada Agency, Inter-Tribal Council for Social Services and CETA Programs and Nevada Indian Legal Services.

CERTIFICATION

The foregoing resolution was adopted at a duly called meeting of the Inter-Tribal Council of Nevada, Inc., held on the 16 day of August, 1980, by an affirmative vote of 7 for, 5 against and 1 abstentions.

8/16/80
DATE

Linda Howard, Secretary
ITCN Executive Board

RECEIVED
SEP 9 1980
Western Nevada Agency
Stewart, Nevada 89437

APPENDIX C

RESOLUTION NO. 81-W-11

RESOLUTION OF THE GOVERNING BODY

OF THE

WASHOE TRIBE OF NEVADA AND CALIFORNIA

WHEREAS, The Washoe Tribe of Nevada and California is organized under provisions of the Indian Reorganization Act of June 18, 1934, (48 Stat. 594), as amended, to exercise certain rights of home rule and be responsible for the general welfare of its membership; and

WHEREAS, the Washoe Tribe's land base is inadequate to meet the housing and economic development needs of the tribal members; and

WHEREAS, the Stewart Indian School has been closed; and

WHEREAS, the Washoe Tribe of Nevada and California presently have permitted the Stewart Indian School lands; and

WHEREAS, the Stewart Indian School lands are within the Washoe Tribe's aboriginal territory; and

WHEREAS, to facilitate economic independence, and social and cultural enhancement of the Tribal members, the Washoe Tribal Council requests that these lands associated with the Stewart Indian School be acquired into Trust for the Washoe Tribe.

NOW THEREFORE BE IT RESOLVED THAT the Nevada Congressional Delegates are requested to introduce appropriate legislation that will convey certain Stewart Indian School lands to the Washoe Tribe of Nevada and California.

NOW THEREFORE BE IT RESOLVED by the Washoe Tribal Council that the Bureau of Indian Affairs provide full assistance and cooperation to help this request succeed, and the Bureau of Indian Affairs begin preparing the necessary background reports, recommendations assessments required for legislation.

BE IT FURTHER RESOLVED THAT the Chairman, Vice-Chairperson and Secretary-Treasurer be authorized to take any action necessary to have the Tribe's request approved.

BE IT FURTHER RESOLVED THAT the Washoe Tribe request certain Stewart School Ranch lands be withdrawn from the Bureau of Indian Affairs and added to and made a part of the Washoe Tribal lands, to be held in Trust by the United States of America for the benefit and use of the Washoe Tribe of Nevada and California.

Township 14 north, Range 19 east, Mount Diablo Meridian, Nevada.

Section 1: Lot 2 northeast quarter, Lot 3; 84.90 acres.
Section 3: West half Lot 1 west half lot 2, northeast quarter, east half Lot 1, east half Lot 2, northwest quarter; 157.14 acres.
Section 14: East half southwest quarter, southwest quarter northeast quarter, southeast quarter northwest quarter excluding any portion lying west of Jack's Valley Road as it presently exists; 160.00 acres.
Section 22: South half north half; 160.00 acres.
Section 23: South half, south half northwest quarter northeast quarter northwest quarter; 440.00 acres.
Section 24: South half south half; 160.00 acres.
Section 25: North half, east half southeast quarter, northeast quarter southwest quarter; 520.00 acres.
Section 36: West half, north half northeast quarter, southwest quarter northeast quarter, south half southeast quarter, northwest quarter southeast quarter; 560.00 acres.

Total Acreage: 2242.04 acres more or less.

Township 14 north, Range 20 east, Mount Diablo Meridian, Nevada.

Section 5: The parcel located in the northwest quarter of the quarter is described as beginning at Station No. 1 at the northwest corner of the northeast quarter of the northeast quarter thence west 5.11 chains to Station No. 2 a point in the middle of the road leading to Carson; thence along the middle of said road S. 26°5' W. - .51 chains to Station No. 3; thence S. 47°30' E. 5.58 chains to Station No. 4; thence S. 42°30' W. 2.51 chains to Station No. 5; thence S. 64°30' E. 6.66 chains to Station No. 6 a point on the line of the west side of the northeast quarter of the northeast quarter of section five; thence North 15.27 chains to place of beginning, exclusive of the square half acre adjoining the road at the north end of said tract. The parcel located in the northeast quarter of the northeast quarter is described as beginning at the northwest corner of said tract; thence south 1277.4 feet to the southwest corner of said tract; thence east on the south line of said tract 1184.2 feet; thence north 508.6 feet to a point on the west line of the right-of-way of the proposed extension of the Virginia and Truckee Railway; thence N. 22°15' W. along the line of said right of way 824.7 feet to a point on the north line of said tract; thence west along said line 879 feet to place of beginning;

And, tract of land described as beginning at a point which lies 25.11 chains west of the northeast corner of section five which point is identical with point No. 2 in the deed of the H.F. Dangberg Land & Livestock Company to the United States of America; thence S. 26°05' W., 2.2361 chains; thence S. 63°55' E., 2.2361 chains; thence N. 26°05' E., 2.2361 chains;

thence No. 63°55' W., 2.2361 chains to the point of beginning;

And, the northwest quarter of the northwest quarter except a parcel described as beginning at Station No. 1 a post at the northwest corner of the northeast quarter of the northeast quarter and running thence west 5.11 chains to Station No. 2 a post in the middle of the road leading to Carson; thence along the middle of said road S. 26°5' W. 7.51 chains to Station No. 3 a post in the middle of the road; thence S. 47°30' E. 5.58 chains across the road and along the fence on the north side of Penrods corral to Station No. 4 a post at the corner of said fence; thence S. 42°30' W. 2.51 chains along the fence on the east side of Penrods corral to Station No. 5 a post at the corner of the fence; thence S. 64°30' E. 6.66 chains along the fence to Station No. 6 a post in the line of the fence and in the line of the west side of the northeast quarter of the northeast quarter; thence north 15.27 chains to the place of beginning.

EXCEPTING the following parcels:

1) land lying north of Clear Creek and west of the old V & T Railroad right-of-way in northeast quarter northeast quarter;
2) land lying north of Clear Creek contained northwest quarter northeast quarter.

Total acreage: 68.01 acres more or less.

Section 6: Lots 1, 2; 144.13 acres.
Section 18: West half northeast quarter, southeast quarter northeast quarter, northwest quarter southeast quarter; 160.00 acres more or less.

Section 19: South half Lot 2 northwest quarter, Lot 2 southwest quarter; 98.36 acres more or less.

Township 15 north, Range 20 east, Mount Diablo Meridian, Nevada.

Section 32: The east half of the southeast quarter and the southwest quarter of the southeast quarter except the following tract of land located in the southwest quarter of the southeast quarter described as beginning at the southwest corner of the south half of the southeast quarter and running thence east along the township line between Township 14 and 15, 14 chains and 95 links to the middle of the road on what is known as Penrods Lane; thence along the middle of said road N. 24°50' E., 14 chains and 28 links; thence N. 57°W. along the line of fence on the south side of the road leading to Carson 12 chains and 86 links to the intersection of the north boundary line of said tract of land; thence west along said line 10 chains to the northwest corner of said tract; thence south 20 chains to the point of beginning, of Section 32 in Township 15 north of Range 20 east and two parcels of land lying within

the northwest quarter of the southeast quarter of Section 32 in Township 15 north of Range twenty east of the Mount Diablo Meridian in Ormsby County, Nevada.

PARCEL No. 1 is south of the highway leading from the Stewart Indian School to the Minden-Carson City Highway and is described as beginning at a point at the southeast corner of the parcel. The corner being also the southwest corner of the Missionary Lot, said point of beginning and further described as bearing N. 52°43' W., a distance of 2198.00 feet from the southeast corner of Section 32; thence N. 89°50' W., a distance of 900.00 feet to the southwest corner of the parcel, said corner being also the southwest corner of the above described subdivision; thence N. 0°04" E., a distance of 1102.00 feet to a point at the northwest corner of the parcel and the southerly side of the highway 100 foot right-of-way line; thence S. 51°32' E., along the southerly side of the highway right of way line a distance of 1600.28 feet to a point at the intersection of the highway right-of-way line and the northerly property line of the Missionary Lot; thence N. 55°24' W. along the northerly property line of said lot a distance of 430.00 feet to a point; thence S. 0°04' W., along the west boundary of said lot a distance of 354.40 feet to the point of beginning. Said parcel No. 1 containing 15.51 acres more or less, except a parcel of land containing 4.00 acres, more or less, which was conveyed to the United States of America by Henry Ross and wife by deed dated January 31, 1889, described as "four acres off the south side of the NW 1/4 SE 1/4 of Section 32, Township 15 N., R. 20 E." or as described in the correction deed from Emanuel Penrod to Henry Ross and wife dated May 21, 1889, as "Four (4) acres off of the southside of the NW 1/4 SE 1/4 of Section 32, Township 15 N., Range 20 E., and being all of that piece and parcel of land lying in said quarter quarter southwest of the road, leading from Penrod's Lane to Carson City, Nevada."

PARCEL No. 2 is north of the highway leading from the Stewart Indian School to the Minden-Carson City highway and is described as beginning at a point at the southeast corner of the parcel, said corner being on the northerly side of the highway 100 foot right-of-way line and the east side of of the above described subdivision, said point of beginning being further described as bearing N. 41°18' W., a distance of 2010 feet from the southeast corner of Section 32, thence N. 51°32' W., along the northerly side of the highway right-of-way line a distance of 1690.00 feet to a point; thence N. 0°04' E., a distance of 35.80 feet to the northwest corner of the parcel, said corner being also the northwest corner of the above described subdivision; thence S. 89°50' E., along the subdivision line a distance of 1239.50 feet to the northeast corner of the parcel and the west right-of-way line of the Virginia and Truckee Railroad;

thence S. 0°04' W., along the railroad right-of-way line a distance of 44.50 feet to a point; thence from a tangent whose bearing is the last described course curving to the left with a radius of 1196.28 feet through an angle of 21°15'14" a distance of 443.90 feet to a point on the railroad right-of-way line and the east side of the subdivision; thence S. 0°04' W., along the east side of the subdivision a distance of 655.70 feet to the point of beginning.

And the south half of the southwest quarter and a parcel of land in the southwest quarter of the southeast quarter of Section 32 in Township 15 North of Range 20 East of the Mount Diablo Meridian in Ormsby County, Nevada, said parcel described as beginning at the southwest corner of the south half of the southeast quarter and running thence east along the township line between Townships 14 and 15 north 14.95 chains to the middle of the road on which is known as Penrods Lane; thence along the middle of said road N. 24°50' E. 14.28 chains; thence N. 57°W. along the line fence on the south side of the road leading to Carson 12.85 chains to the intersection of the north boundary line of said tract of land; thence west along said line 10 chains to the northwest corner of said tract; thence 20 chains to the place of beginning.

And, the parcel of land in the northwest quarter of the southeast quarter of Section 32 in Township 15 North of Range 20 East of the Mount Diablo Meridian in Ormsby County, Nevada, described as four acres off the southside of the northwest quarter of the southeast quarter and further described as being all land lying southwest of the road leading from Penrods Lane to Carson City, containing 4.00 acres, more or less.

EXCEPTING the following parcels:

1) land lying west of the V & T Railroad right-of-way contained in the southeast quarter southeast quarter;
2) southwest quarter southeast quarter;
3) land lying north of Clear Creek in the southeast quarter southwest quarter.

Total acreage 127.51 acres more or less.

Together with all the improvements thereon and the appurtenances there unto belonging.

CERTIFICATION

It is hereby certified that the Washoe Tribal Council is the governing body of the Washoe Tribe of Nevada and California and is composed of nine (9) members of whom 7, constituting a quorum, were present at a meeting duly held on the 14th day of April, 1981, and that the foregoing resolution was adopted by the affirmative vote of 7 for 0 against 0 abstentions pursuant to authority contained in Article II Section 1A, of the Amended Constitution and Bylaws of the Washoe Tribe of Nevada and California.

April 15, 1981
DATE

Clare L. Smokey
CLARE L. SMOKEY
SECRETARY/TREASURER

97-158 0 - 82 - 10

CORRESPONDENCE PACKAGE

The contents of this package are intended to provide the reader a simplified opportunity to review the actual interelationships and activity of the Washoe Tribe in pursuing and accomplishing each criteria established by Senator Cannon, Senator Laxalt, and Congressman Santini.

The following is a culmination of all correspondence to date broken into five major categories, Congressional, Federal, State, Local, Private. Subordinate to each category, correspondence is in chronological order. One anticipated inconvenience would possible arise when one would wish to follow the overall package in a chronological perspective and eventually end up jumping from one category to another.

If you require further clarification in any manner, please contact us at once.

CONGRESSIONAL

(702) 882-3411 Ext. 22/23

Real Prop. Mgmt.
310 Stewart School Lands
Washoe Tribe of Nev. & Calif.

DEC 29 1981

Mr. Jim Wert
Office of Legislative Counsel
Room 13
Cannon House Office Building
Washington, D. C. 20515

Dear Mr. Wert:

Re: H.R.5081

The description of the land to be taken into trust for the use and benefit of the Washoe Tribe of Nevada and California under H.R.5081 and S.1858 should be modified in the following manner:

Delete from Line 3, Page 3, to Line 20, Page 11, inclusive, and substitute the description enclosed.

I hope this makes more sense than the one previously submitted.

If I may be of further service, please advise.

Sincerely,

Acting Realty Officer

Enclosure

MLEckstein/seb 12/28/81

0 degrees 04 minutes west, along the west boundary of said lot a distance of 354.40 feet to the point of beginning; said parcel numbered 1 containing 15.51 acres, more or less.

Parcel numbered 2 is north of the highway leading from the Stewart Indian School to the Minden-Carson City highway and is described as beginning at a point at the southeast corner of the parcel, said corner being on the northerly side of the highway 100-foot right-of-way line and the east side of the above described subdivision, said point of beginning being further described as bearing north 41 degrees 18 minutes west, a distance of 2,010 feet from the southeast corner of section 32; thence north 51 degrees 32 minutes west, along the northerly side of the highway right-of-way line a distance of 1,690.00 feet to a point; thence north 0 degrees 04 minutes east, a distance of 35.80 feet to the northwest corner of the parcel, said corner being also the northwest corner of the above described subdivision; thence south 89 degrees 50 minutes east, along the subdivision line a distance of 1,239.50 feet to the northeast corner of the parcel and the west right-of-way line of the Virginia and Truckee Railroad; thence south 0 degrees 04 minutes west, along the railroad right-of-way line a distance of 44.50 feet to a point; thence from a tangent whose bearing is the last described course curving to the left with a radius of 1,196.28 feet through an angle of 21 degrees 15 minutes 40 seconds a distance of 443.90 feet to a point on the railroad right-of-way line and the east side of the subdivision; thence south 0 degrees 04 minutes west, along the east side of the subdivision a distance of 655.70 feet to the point of beginning.

And the south half of the southwest quarter excepting the following parcels:

(1) land lying west of the V and T Railroad right-of-way contained in the southeast quarter southeast quarter;

(2) southwest quarter southeast quarter;

Total acreage 165.54 acres more or less.

Section 5: The North one half of the northeast quarter lying west of the V&T right-of-way and south of Clear Creek, and the East one half of Lot 2 in the northwest quarter. Total acreage: 108.01 acres more or less.

Section 6: Lots 1, 2; 144.13 acres.

Section 18: West half northeast quarter, southeast quarter northeast quarter, northwest quarter southeast quarter; 160.00 acres more or less.

Section 19: South half lot 2 northwest quarter, lot 2 southwest quarter; 98.36 acres more or less.

Township 15 North, Range 20 East, Mount Diablo Meridian, Nevada

Section 32: The east half of the southeast quarter and the southwest quarter of the southeast quarter; and two parcels of land lying within the northwest quarter of the southeast quarter of section 32 in Township 15 North of Range 20 East of the Mount Diablo Meridian in Ormsby County, Nevada. Parcel numbered 1 is south of the highway leading from the Stewart Indian School to the Minden-Carson City Highway and is described as beginning at a point at the southeast corner of the parcel, the corner being also the southwest corner of the missionary lot, said point of beginning and further described as bearing north 52 degrees 43 minutes west, a distance of 2,198.00 feet from the southeast corner of section 32: thence north 89 degrees 50 minutes west, a distance of 900.00 feet to the southwest corner of the parcel, said corner being also the southwest corner of the above described subdivision; thence north 0 degrees 04 seconds east, a distance of 1,102.00 feet to a point at the northwest corner of the parcel and the southerly side of the highway 100-foot right-of-way line; thence south 51 degrees 32 minutes east, along the southerly side of the highway right-of-way line a distance of 1,600.28 feet to a point at the intersection of the highway right-of-way line and the northerly property line of the missionary lot; thence north 55 degrees 24 minutes west along the northerly property line of said lot a distance of 430.00 feet to a point; thence south

JIM SANTINI
NEVADA

WASHINGTON OFFICE:
2439 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: (202) 225-5965

DISTRICT OFFICES:
SUITE 4-529 FEDERAL BUILDING
300 LAS VEGAS BOULEVARD SOUTH
LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 385-6678

SUITE 1139 FEDERAL BUILDING
300 SOUTH STREET
RENO, NEVADA 89502
TELEPHONE: (702) 784-5537

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
INTERIOR AND INSULAR AFFAIRS
SUBCOMMITTEES:
MINES AND MINING, CHAIRMAN
PUBLIC LANDS AND NATIONAL PARKS
ENERGY AND COMMERCE
SUBCOMMITTEES:
COMMERCE, TRANSPORTATION AND TOURISM
OVERSIGHT AND INVESTIGATIONS
SELECT COMMITTEE ON AGING
SUBCOMMITTEE:
HOUSING AND CONSUMER INTERESTS
U.S. CONGRESSIONAL TRAVEL AND TOURISM CAUCUS, CHAIRMAN

November 24, 1981

Mr. Robert L. Frank, Chairman
Washoe Tribe of Nevada and California
Highway 395 South
Gardnerville, NV 89410

Dear Mr. Frank:

Mary Lou Cooper, my Legislative Director, shared with me your recent letter regarding the Washoe Tribe's interest in securing a title to the Stewart Ranch properties. As you know, I introduced HR 5081 on Friday, November 20, 1981 which will accomplish the transfer.

Your efforts to see this transfer accomplished are well organized and Mary Lou told me she enjoyed meeting with you. I was pleased to learn that you had a good meeting in Washington, D. C. with Ken Smith, Assistant Secretary of Indian Affairs for the Department of Interior.

I have directed Mrs. Cooper to keep on top of this issue and to work closely with the congressional delegation so a united front is exerted. She will be in contact with your designee, Mr. Brian Wallace.

Thank you for asking me to assist the Washoe Tribe on the Stewart title transfer. I am most pleased to do so.

Sincerely,

James D. Santini,
Member of Congress

JDS/mlc

P. S.) It was an honor to speak to the ITC group in Sparks!

JIM SANTINI
NEVADA

WASHINGTON OFFICE:
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300 SOUTH STREET
RENO, NEVADA 89502
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COMMITTEES:
INTERIOR AND INSULAR AFFAIRS
SUBCOMMITTEES:
MINES AND MINING, CHAIRMAN
PUBLIC LANDS AND NATIONAL PARKS
ENERGY AND COMMERCE
SUBCOMMITTEES:
COMMERCE, TRANSPORTATION AND TOURISM
OVERSIGHT AND INVESTIGATIONS
SELECT COMMITTEE ON AGING
SUBCOMMITTEES:
HEALTH AND LONG-TERM CARE
U.S. CONGRESSIONAL TRAVEL AND TOURISM CAUCUS, CHAIRMAN

Congress of the United States
House of Representatives
Washington, D.C. 20515

RECEIVED
NOV 30 1981
650 S. Rock Blvd.
Reno, NV 89502
OF NEVADA, INC.

November 9, 1981

cc: Executive B

Ms. Linda Howard
Secretary
Inter-Tribal Council of Nevada, Inc.
Reno, Nevada

Dear Ms. Howard:

I very much appreciate your taking the time to let me know how you feel about the Stewart Indian School property. I want you to know that I have been active in this matter for several years now, and I certainly concur that the buildings are historically unique and should be preserved.

By way of background, I opposed the school's closing in 1980, but unfortunately Congress and the Administration disagreed with my point of view, primarily on the grounds that the school was not earthquake sound and that it cost too much to operate. Since that time efforts have been made by a number of groups to save the buildings and put them to good use.

There are really two separate and distinct issues involved here -- disposition of the ranch properties attached to Stewart and disposition of the school campus and facilities. On the first issue, the Washoe Tribe of Nevada and California have submitted a proposal to Congress to transfer some 3000 acres of land worth $6 million to their tribe for agricultural purposes. This ranch property transfer is their top priority and the entire Nevada Congressional delegation is looking favorably at draft legislation at the present time.

The second issue involves the Stewart school facilities and campus. Earlier in the summer, I was asked by the Governor and certain legislative officials to seek administrative transfer of the school to the state. I agreed to help facilitate the transfer, with the state itself determining the ultimate use of the buildings. At that time the Indians had expressed no interest to me in the facilities themselves. Since that time, however, the Governor's office has not made a definite decision as to whether or not the state actually wants or can afford the buildings at Stewart. And, just weeks ago, the Washoe Tribe's representatives came back to Washington regarding both the ranch properties and the school campus.

Although the Indians presented information about the possibility of a self-funded vocational educational facility, after discussions with Department of Interior and others it became quite clear that the Washoe tribe also has serious qualms about its fiscal ability to manage and maintain the Stewart school buildings. Their position as stated to my office is that they prefer to concentrate their resources and energies on the ranch properties, not the school buildings.

The situation now is that transfer of the ranch properties to the Washoe tribe by Congressional action looks very likely. On the issue of the Stewart campus itself, it appears as if neither the State nor the Washoe tribe is sure they want the facilities. Until the State and the tribe resolve their respective interests on the school facilities, no Congressional action is contemplated regarding the campus. I remain open to all viable, fiscally sound proposals to put the Stewart campus to good use. Certainly the Church and BIA offices now operating at Stewart will continue just as in the past.

I plan to continue to take an active role in trying to solve the Stewart school situation. I have known the Stewart area for many, many years and it would indeed be a shame to let this piece of Nevada history fall into neglect. I also intend to give every consideration to the wishes of the Indians in this matter. I share your interest in the Stewart school problem and am hopeful we can resolve it.

Sincerely,

JAMES D. SANTINI
Member of Congress

JDS:mce

United States Senate

MEMORANDUM

November 5, 1981

Brian --

The attached is the bill as it would be introduced, if it meets your approval. The added language is on page 6 (c).

Regards,
Kelton Abbott
Office of Senator
Howard W. Cannon

PAUL LAXALT
NEVADA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON JUDICIARY

United States Senate
WASHINGTON, D.C. 20510

WASHINGTON OFFICE:
318 Russell Office Building
(202) 224-3542

CARSON CITY OFFICE:
705 North Plaza Street
(702) 883-1930

LAS VEGAS OFFICE:
300 Las Vegas Blvd., South
(702) 385-6547

RENO OFFICE:
300 South Street
(702) 784-5568

November 3, 1981

Dear Bob:

Just a quick note in response to your recent letter.

Since we last spoke, Kelton Abbott has given us a copy of a draft bill which Senator Laxalt has agreed to cosponsor with some minor technical changes. I am hopeful that the bill will be introduced in the near future and that the Department of Interior will quickly sign off on it.

Senator Laxalt is delighted to be of help in this initiative and we look forward to working with you toward an expeditious transfer of the ranch properties to tribal control.

Sincerely,

HAROLD W. FURMAN II
Legislative Assistant to
Senator Paul Laxalt

HWF:fkp

Mr. Robert L. Frank
Chairman, Washoe Tribe
Route 2, Box 68
Gardnerville, Nevada 89410

October 29, 1981

Mr. Harold W. Furman III
Legislative Assistant
U.S. Senator Paul Laxalt
315 Russell Building
Washington, D.C. 10510

Re: Legislative Title Transfer of the Stewart School Ranch Properties into Trust for the Washoe Tribe of Nevada and California

Dear Hal:

This letter is a followup to our discussions with you during our visit to Washington on October 21 and 22 of this year. At this time, I would like to extend my thanks to you for your time and courtesy in meeting with us.

It is my understanding that the final medium for carrying out the tribal title transfer request will be through the legislative route, and this will be expedited by a concentrated effort by each member of the Nevada Congressional Delegation. During our meetings with each of the respective representatives, the Tribe was pledged the support for legislative introduction and encouraged that simultaneous introduction of the legislation in both the Senate and House would be the most strategical and favorable procedure to follow.

One common concern was the ability of the Department of Interior, Bureau of Indian Affairs to deliver and carry out its responsibility for a review in a timely fashion.

The Washoe Tribe, prior to our recent visit with you, has enlightened specific responsible individuals within the Bureau to follow through with this task of title transfer review and recommendations. To reaffirm this earlier conversation, Mr. Wallace and I have met with the Assistant Secretary of Indian Affairs, Mr. Ken Smith, on Friday afternoon, at which time, he reassured us that the Stewart Land Transfer will be dealt with in an expedient manner within his responsibility and authority. He will also maintain and protect the

Inter-Tribal interest with matters concerning the use of the school complex with regard to the other local jurisdictional interests. Mr. Mark Phillips has been designated to represent Mr. Smith's office and will be concentrating exclusively on this matter.

One last matter for clarification is, following our discussion with you, our understanding is that Mr. Kelton Abbott, from Senator Cannon's office, has and will distribute to each of the respective congressional staff aides, a draft copy of the proposed legislation in order to maintain a consistant understanding of all involved parties and will forward this and all necessary information and material to us as well.

As agreed in our meetings, Mr. Brian Wallace, of my office, is designated as the contact person on behalf of the Washoe Tribe. He will cooperate in providing further necessary background information on the Stewart transfer and all inquiries may be addressed to him.

I am looking forward to a closer working relationship with you on this project and to express my gratitude to you for your support and assistance on our behalf.

Sincerely,

Robert L. Frank
CHAIRMAN, WASHOE TRIBE

RLF:bf

October 29, 1981

Mr. Kelton B. Abbott
Legislative Assistant
U.S. Senator Howard W. Cannon
259 Russell Building
Washington, D.C. 20150

Re: Legislative Title Transfer of the Stewart Ranch Properties into Trust for the Washoe Tribe of Nevada and California

Dear Kelton:

This letter is a followup to our discussions with you during our visit to Washington on October 21 and 22 of this year. At this time, I would like to extend my thanks to you for your time and courtesy in meeting with us.

It is my understanding that the final medium for carrying out the tribal title transfer request will be through the legislative route, and this will be expedited by a concentrated effort by each member of the Nevada Congressional Delegation. During our meetings with each of the respective representatives, the Tribe was pledged the support for legislative introduction and encouraged that simultaneous introduction of the legislation in both the Senate and House would be the most strategical and favorable procedure to follow.

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Inter-Tribal interest with matters concerning the use of the school complex with regard to the other local jurisdictional interests. Mr. Mark Phillips has been designated to represent Mr. Smith's office and will be concentrating exclusively on this matter.

One last matter for clarification is that your office has and will distribute among each of the respective congressional staff aides the draft of the proposed legislation and the related material in order to maintain a consistant understanding of all involved parties as well as forwarding all necessary material to my office. We have informed the other congressional staff aides of this and they will be in contact with your office in the near future.

As agreed in our meetings, Mr. Brian Wallace, of my office, is designated as the contact person on behalf of the Washoe Tribe. He will cooperate in providing further necessary background information on the Stewart transfer and your inquiries may be addressed to him.

I am looking forward to a closer working relationship with you on this project and do express my gratitude to you for your support and assistance on our behalf.

Sincerely,

Robert L. Frank
CHAIRMAN, WASHOE TRIBE

RLF:bf

October 29, 1981

Ms. Mary Lou Cooper
Legislative Assistant
U.S. Congressman James Santini
1007 Longworth Building
Washington, D.C. 20515

Re: Legislative Title Transfer of the Stewart School Ranch Properties into Trust for the Washoe Tribe of Nevada and California

Dear Ms. Cooper:

This letter is a followup to our discussions with you during our visit to Washington on October 21 and 22 of this year. At this time, I would like to extend my thanks to you for your time and courtesy in meeting with us.

It is my understanding that the final medium for carrying out the tribal title transfer request will be through the legislative route, and this will be expedited by a concentrated effort by each member of the Nevada Congressional Delegation. During our meetings with each of the respective representatives, the Tribe was pledged the support for legislative introduction and encouraged that simultaneous introduction of the legislation in both the Senate and House would be the most strategical and favorable procedure to follow.

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the Inter-Tribal interest with matters concerning the use of the school complex with regard to the other local jurisdictional interests. Mr. Mark Phillips has been designated to represent Mr. Smith's office and will be concentrating exclusively on this matter.

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As agreed in our meetings, Mr. Brian Wallace, of my office, is designated as the contact person on behalf of the Washoe Tribe. He will cooperate in providing further necessary background information on the Stewart transfer, all inquiries may be addressed to him.

I am looking forward to a closer working relationship with you on this project and to express my gratitude to you for your support and assistance on our behalf.

Sincerely,

Robert L. Frank
CHAIRMAN, WASHOE TRIBE

RLF:bf

Executive Board

JIM SANTINI
NEVADA

WASHINGTON OFFICE:
2429 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: (202) 225-5965

DISTRICT OFFICES:
SUITE 4-529 FEDERAL BUILDING
300 LAS VEGAS BOULEVARD SOUTH
LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 385-6173

SUITE 1130 FEDERAL BUILDING
300 SOUTH STREET
RENO, NEVADA 89502
TELEPHONE: (702) 784-5437

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
INTERIOR AND INSULAR AFFAIRS
SUBCOMMITTEES:
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PUBLIC LANDS AND NATIONAL PARKS
ENERGY AND COMMERCE
SUBCOMMITTEES:
COMMERCE, TRANSPORTATION AND TOURISM
OVERSIGHT AND INVESTIGATIONS
SELECT COMMITTEE ON AGING
SUBCOMMITTEES:
HOUSE [illegible] INTERESTS
CONGRESSIONAL [illegible]
[illegible] CAUCUS, CHAIRMAN

October 5, 1981

INTER-TRIBAL COUNCIL
RECEIVED
OCT 9 1981
650 S. Rock Blvd.
Reno, NV 89502
OF NEVADA, INC.

The Inter-Tribal Council of Nevada
650 S. Rock Boulevard, Suite 11
Reno, Nevada 89502

Dear Gentlemen:

Thank you for your letter stating your interest in having the Stewart facilities turned over to the Washoe tribe.

I have been involved in the matter since early summer, but until now I had not heard from your organization. This is a matter close to my heart. I feel states and localities usually know best about property and issues close to home.

I have supported the transfer of the Stewart school facilities over to the state of Nevada in accordance with the request of the state legislature. It was my understanding that an agreement is being negotiated between Nevada and the Washoe Indian Tribe. Under this agreement the Indian tribe would get all of the farm land and the state would get some, but not all of the buildings.

Once an agreement is reached I will be willing to help turn the property over to the respective groups. If any new developments have occured please do not hesitate to contact me.

Sincerely,

JAMES D. SANTINI
Member of Congress

JDS:mcs

PAUL LAXALT
NEVADA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON JUDICIARY

Board Packets

United States Senate

WASHINGTON, D.C. 20510

315 FEDERAL OFFICE BUILDING
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CARSON CITY OFFICE:
700 NORTH PLAZA STREET
(702) 883-1930

LAS VEGAS OFFICE:
300 LAS VEGAS BLVD., SOUTH
(702) 385-6547

RENO OFFICE:
300 SOUTH STREET
(702) 784-5568

RST

October 1, 1981

Dear Ms. Howard:

Just a quick note to thank you for your recent letter and accompanying resolution of the Inter-Tribal Council of Nevada. I'm glad to know of your feelings on the subject of the disposition of the Stewart properties.

Like you, I have been very impressed by the efforts expended by the Washoe Tribe. While I was in Nevada recently, I had the opportunity to discuss the Stewart property with representatives of the Washoe Tribe. As a result, I have asked Secretary Watt to give favorable consideration to the Tribe's request for the ranch land. As for the actual school facilities, I still believe that final disposition can only be worked out after a negotiated agreement is reached with all concerned parties.

Again, thank you for writing.

Sincerely,

Paul Laxalt

PAUL LAXALT
U.S. Senator

PL:fkr

Linda Howard
ITCN Executive Board
INTER-TRIBAL COUNCIL OF NEVADA
650 South Rock Blvd., Suite 11
Reno, Nevada 89502

HOWARD W. CANNON
NEVADA

COMMITTEES:
COMMERCE, SCIENCE, AND TRANSPORTATI
ARMED SERVICES
RULES AND ADMINISTRATION

United States Senate
WASHINGTON, D.C. 20510

June 23, 1981

Mr. Robert L. Frank
Tribal Chairman
Washoe Tribe of Nevada and
California
Highway 395 South
Gardnerville, Nevada 89410

Dear Bob,

Thank you for your recent letters requesting that legislation be introduced to transfer in trust to the Washoe Tribe some 2,892 acres comprising the former Stewart Indian School, the Stewart Ranch and several other small tracts.

I have reviewed with interest the Master Plan submitted with your letter and appreciate the desire of the Tribe to provide new economic opportunities for its members. I feel the Tribe has a strong and justifiable claim to the property. I also note that adjoining landowners are supportive of your plans.

While I am prepared to introduce the legislation to place the land in trust, I am sure you are aware that many competing requests have been made for the land, including interest on the part of the State of Nevada. Additionally, it is my understanding that although Stewart School was closed at the end of the 1980 school year, the Bureau of Indian Affairs has yet to decide whether to continue to utilize the property within present Indian Affairs programs or to declare the property excess to its needs.

Your initial efforts to secure approval of all interested parties is commendable. I recommend that you contact the BIA if you have not already done so, and seek to secure the support of the Bureau for your plans, in light of the increased pressure on the agency to reach a decision. You might also consider discussing with the Governor the plans you have developed to benefit the Tribe. If these different claims can be resolved somewhat, I will be pleased to introduce the legislation for the benefit of the Tribe, and will have the legislation prepared for that eventuality.

With warm personal regards, I am

Sincerely,

Howard

HOWARD W. CANNON

HWC/KAjam

June 5, 1981

Congressman James D. Santini
1007 Longworth Office Building
Washington, D.C. 20515

Dear Mr. Santini:

Enclosed are copies of letters of support from the following individuals:

1. Mr. John Ascuaga
2. Mr. Harvey Gross
3. Mr. Arnold Settgemeyer

Please attach these letters to the document which has been submitted to your office on May 8, 1981.

If you need any additinnal information regarding this matter, pleaee contact my office.

Sincerely,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosures

June 5, 1981

Senator Howard W. Cannon
259 Russell Building
Washington, D.C. 20510

Dear Senator:

Enclosed are copies of the letters of support from the following individuals:

1. Mr. John Ascuaga
2. Mr. Harvey Gross
3. Mr. Arnold Settlemeyer

Please attach these letters to the document which has been submitted to your office on May 8, 1981.

If you need any additional information regarding thismmatter, please contact my offiue.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosures

Copies to:
Senators: Cannon
Laxalt
Congressmen:
Santini

May 8, 1981

Senator Howard Cannon
Russell Office Building, Room 259
Washington, D.C. 20510

Dear Senator Cannon:

Enclosed is a copy of Washoe Tribal Resolution No. 81-W-11. This Resolution was adopted by the Washoe Tribal Council on April 7, 1981 and requests certain lands be held in trust for the Washoe Tribe of Nevada and California to be considered part of the Washoe Indian Reservation. A listing of the lands by legal description has been made part of the Resolution. Also included are copies of the proposed Act and a copy of the Master Plan which documents the need and use of the lands requested. The properties to which the Washoe Tribe desires ownership total approximately 2,892 acres.

The Washoe Tribe of Nevada and California respectfully request that you introduce the necessary legislation to include the 2,892 acres as part of the Washoe Reservation to be held in trust by the United States of America for the benefit and use of the Washoe Tribe of Nevada and California.

If you need more information regarding this request, please contact my office.

Thank you,

Robert L. Frank
TRIBAL CHAIRMAN

RLF:dz

Enclosure

May 8, 1981

Senator Paul Laxalt
Russell Office Building, Room 315
Washington, D.C. 20510

Dear Senator Laxalt:

Enclosed is a copy of Washoe Tribal Resolution No. 81-W-11. This Resolution was adopted by the Washoe Tribal Council on April 7, 1981 and requests certain lands be held in trust for the Washoe Tribe of Nevada and California to be considered part of the Washoe Indian Reservation. A listing of the lands by legal description has been made part of the Resolution. Also included are copies of the proposed Act and a copy of the Master Plan which documents the need and use of the lands requested. The properties to which the Washoe Tribe desires ownership total approximately 2,892 acres.

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If you need more information regarding this request, please contact my office.

Thank you,

Robert L. Frank
TRIBAL CHAIRMAN

RLF:dz

Enclosure

May 8, 1981

Congressman Jim Santini
U. S. House of Representatives
1007 Longworth Building
Washington, D.C. 20515

Dear Congressman Santini:

Enclosed is a copy of Washoe Tribal Resolution No. 81-W-11. This Resolution was adopted by the Washoe Tribal Council on April 7, 1981 and requests certain lands be held in trust for the Washoe Tribe of Nevada and California to be considered part of the Washoe Indian Reservation. A listing of the lands by legal description has been made part of the Resolution. Also included are copies of the proposed Act and a copy of the Master Plan which documents the need and use of the lands requested. The properties to which the Washoe Tribe desires ownership total approximately 2,892 acres.

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If you need more information regarding this request, please contact my office.

Thank you,

Robert L. Frank
TRIBAL CHAIRMAN

RLF:dz

Enclosure

FEDERAL

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C. 20245

IN REPLY REFER TO:

Signed 12/29/81

To: Director, Congressional and Legislative Affairs Staff

From: Director, Office of Administration

Subject: S.R. 5081--To declare that the United States holds certain lands in trust for the Washoe Tribe of Nevada and California and to transfer certain other lands to the administration of the United States Forest Service.

We have reviewed the subject bill and offer the following comments.

Section 1, subsection (a) of the bill conveys some 2,840 acres, more or less, of Bureau administered land to the Washoe Tribe of Nevada and California, to be held in trust by the United States for the Tribe. We fully support the conveyance.

Section 2 of the bill transfers some 80 acres, more or less, of Bureau administered land to the National Forest Service. We support the transfer.

However, we strongly recommend that portions of Section 1, subsection (a) and Section 2 which attempt to describe the land to be conveyed be removed from the bill. In place of those descriptions we recommend that the following sections and subsections be substituted beginning at line 4 of page 1:

"title, and interest of the United States in those lands (including any structures or other improvements of the United States on such lands; but excluding approximately 147 acres of land known as the Stewart Indian School Campus; and excluding all buildings, improvements, and other facilities located thereon) which were acquired for the Stewart Indian School and are now held by the United States are-

(1) hereby declared to be hereafter held by the United States with respect to some 2,840 acres, more or less, of such lands located within Carson City and Douglas County, Nevada in trust for the Washoe Tribe of Nevada and California;

(2) hereby directed to be transferred with respect to some 80 acres, more or less, of such lands located within Douglas County, Nevada, to the United States Forest Service.

> Section 2. The Secretary of the Interior shall cause a notice to be published in the Federal Register describing the lands transferred by Section 1 of this Act. The land so transferred to the Washoe Tribe of Nevada and California is hereby declared to be a part of the reservation of the Tribe and to be held in trust by the United States for the Tribe."

A new Section 3 ought to remain the same as in the current subsection (b) of the bill.

With respect to subsection (c), beginning at line 8 on page 12, this office believes that the subsection ought to be amended to read:

> "Section 4. The lands which are conveyed and held in trust, pursuant to Section 1(a)(1) of this Act shall be used for purposes which commonly benefit members of the Washoe Tribe of Nevada and California, including but not limited to agricultural purposes."

We believe the above recommended language for Section 4 is necessary in order to assure that the Washoe Tribe will be provided land usage benefits similar to those enjoyed by other tribes which are beneficiaries of trust lands held in their behalf.

The current subsection (d) of the bill should remain unchanged with the exception that it be renumbered "Section 5".

Section 2 of the current bill should be removed since our recommended Section 1 would address the provisions of the section.

In substituting the above provisions, mistakes in printing the legal description can be avoided. Significant differences now exist between the bill's recitation of metes and bounds and a recitation found in Bureau title records. Also, the bill's recitation of the metes and bounds has resulted in at least one measurement error, as well as the transfer of one parcel not owned by the United States.

At such time as the Bureau would undertake to describe the land to be transferred, a corrected form of the Bureau's land title record could be relied upon, thus simplifying the task.

We thank you for the opportunity to comment on the bill.

December 22, 1981

U.S. Department of the Interior
Bureau of Indian Affairs
Office of the Secretary
Mr. Kenneth Smith
Assistant Secretary
Washington, D.C. 20240

Dear Mr. Smith:

Re: Code 880

Enclosed is the legal description which the Realty Office at the Western Nevada Agency has complied to clarify the land description for the lands involved in the Washoe Tribe's legislation.

If you need any additional information regarding this matter, please contact my office.

Sincerely,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosure

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

The Most Reverend Norman F. McFarland
Bishop of Reno - Las Vegas
515 Court Street
P.O. Box 1211
Reno, Nevada 89504

NOV 23 1981

Dear Bishop McFarland:

Thank you for your letter of October 29, 1981, stating your concern for the future use and disposition of the Stewart Indian School property.

The Department of the Interior has received many letters which have expressed varied interests in the future utilization of the Stewart Indian School facilities. Such correspondence is being reviewed in preparation for final determinations by the Department. Please be assured that your position will be given due consideration.

Thank you once again and best wishes on the Diocese's fiftieth year.

Sincerely

Hazel E. Elbert

Acting Deputy Assistant Secretary - Indian Affairs (Operations)

October 1, 1981

U.S. Department of the Interior
Bureau of Indian Affairs
Phoenix Area Office
ATTN: Mr. William Finale
Acting Area Director
P.O. Box 7007
Phoenix, Az 85011

Dear Mr. Finale:

The Washoe Tribe of Nevada and California is requesting your assistance in beginning the transfer of the Stewart School Ranch Properties that are currently included in the Lease Permit the Washoe Tribe has with the Phoenix Area Office. The Transfer Authority is contained in U.S.C.A., Title 25, Section 465.

If I can be of any assistance regarding this matter, please do not hesitate to contact my office.

Sincerely,

Robert L. Frank, Chairman
WASHOE TRIBE

RLF:bf

INTER-TRIBAL COUNCIL OF NEVADA

PHONE (702) 786-3128
650 S. ROCK BOULEVARD SUITE 11 • RENO, NEVADA 89502

OF NEVADA

September 23, 1981

Mr. Kenneth Smith, Assistant Secretary
for Indian Affairs
Department of Interior
1951 Constitution Avenue, S.W.
Washington, D.C. 20245

Dear Mr. Smith:

The Executive Board of the Inter-Tribal Council of Nevada composing of elected representatives of the twenty-three (23) Indian reservations and colonies in Nevada voted--unanimously--at the regularly scheduled meeting March, 1981 in Las Vegas to support resolution ITCN-81-6.

The Washoe Tribe has continually expended time and effort to secure the Stewart properties. At their meeting on September 18, 1981, the Executive Board again voted unanimously to support resolution ITCN-81-6 and reaffirm their continuing interest in having Stewart facilities turned over to the Washoe Tribe to be held in trust by the United States Government.

If further elaboration or clarification is needed, please don't hesitate to contact this office.

Sincerely,

Linda Howard, Secretary
ITCN Executive Board

HW:LH:rb

Enclosure

September 23, 1981 Re: Stewart ITCN-81-6

The Honorable James Watt
Secretary of Interior
1951 Constitution Avenue, S.W.
Washington, D.C. 20245

Mr. Kenneth Smith, Assistant Secretary
for Indian Affairs
Department of Interior
1951 Constitution Avenue, S.W.
Washington, D.C. 20245

The Honorable Howard W. Cannon
United States Senator
259 Russell Office Building
Washington, D.C. 20510

The Honorable Paul Laxalt
United States Senator
315 Russell Office Building
Washington, D.C. 20510

The Honorable James Santini
United States Congressman
1007 Longworth Building
Washington, D.C. 20515

The Honorable Robert List
Governor of Nevada
Executive Chamber
Carson City, Nevada 89710

INTER-TRIBAL COUNCIL OF NEVADA

PHONE (702) 786-3128

650 S. ROCK BOULEVARD SUITE 11 • RENO, NEVADA 89502

September 23, 1981

The Honorable James Watt
Secretary of Interior
1951 Constitution Avenue, S.W.
Washington, D.C. 20245

Dear Sir:

The Executive Board of the Inter-Tribal Council of Nevada composing of elected representatives of the twenty-three (23) Indian reservations and colonies in Nevada voted--unanimously--at the regularly scheduled meeting March, 1981 in Las Vegas to support resolution ITCN-81-6.

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If further elaboration or clarification is needed, please don't hesitate to contact this office.

Sincerely,

Linda Howard, Secretary
ITCN Executive Board

HW:LH:rb

Enclosure

97-158 0 - 82 - 12

ITCN-81-6

RESOLUTION

INTER-TRIBAL COUNCIL OF NEVADA, INC.

STEWART LAND TITLE TO WASHOE'S

We, the Executive Board of the Inter-Tribal Council of Nevada, Inc., as the body composed of the elected representatives of the twenty-three (23) Indian reservations and colonies in Nevada and recognized by the State of Nevada as the duly chartered Indian organization which speaks for the wishes and desires of the state's Indian population, do hereby resolve:

WHEREAS, the Inter-Tribal Council of Nevada, Inc. has a continuing interest in the health and well-being of the Indian population, and

WHEREAS, the Bureau of Indian Affairs (BIA) has decided to close the Stewart Indian School, south of Carson City, Nevada, and surrounding facilities and properties, and

WHEREAS, the Stewart Indian School, facilities, and properties were created for use by the Nevada Tribes for education and vocational purposes, and

WHEREAS, the Inter-Tribal Council of Nevada desires to retain the Stewart Indian School, facilities and properties for the beneficial uses of the Nevada Tribes, and

WHEREAS, the Washoe Tribe of Nevada and California is seeking congressional support to sponsor legislation to hold all properties in trust for the Washoe Tribe, and

WHEREAS, the Stewart school property is located within the original boundaries of the Washoe aboriginal lands, and

WHEREAS, the Washoe Tribe has completed extensive preliminary plans for the future use of the aforementioned land and facilities,

NOW THEREFORE BE IT RESOLVED, the Inter-Tribal Council of Nevada supports and endorses all endeavors of the Washoe Tribe to have the Stewart Indian School, facilities and properties held in trust on behalf of the Washoe Tribe, and

BE IT FURTHER RESOLVED, the Washoe Tribe proceed with the utmost haste to have the Nevada Congressional Delegation introduce legislation to hold in trust the lands for use by the Washoe Tribe as they deem proper.

CERTIFICATION

The foregoing resolution was adopted at a duly called meeting of the Inter-Tribal Council of Nevada, held on the 19th day of March, 1981 at Las Vegas, Nevada, by an affirmative vote of 10 for, 0 against, and 2 abstentions.

Linda Howard, Secretary
ITCN Executive Board

September 23, 1981 Re: Stewart ITCN-81-6

The Honorable James Watt
Secretary of Interior
1951 Constitution Avenue, S.W.
Washington, D.C. 20245

Mr. Kenneth Smith, Assistant Secretary
for Indian Affairs
Department of Interior
1951 Constitution Avenue, S.W.
Washington, D.C. 20245

The Honorable Howard W. Cannon
United States Senator
259 Russell Office Building
Washington, D.C. 20510

The Honorable Paul Laxalt
United States Senator
315 Russell Office Building
Washington, D.C. 20510

The Honorable James Santini
United States Congressman
1007 Longworth Building
Washington, D.C. 20515

The Honorable Robert List
Governor of Nevada
Executive Chamber
Carson City, Nevada 89710

INTER TRIBAL COUNCIL of ARIZONA

ITCA 81-99

RESOLUTION

WHEREAS, the Inter-Tribal Council of Arizona representing nineteen (19) Indian Tribes advocates on behalf of its member Tribes, and of other tribal groups on areas of mutual concern; and

WHEREAS, a major concern of Indian Tribes in the Southwest has been the retention of their remaining landbase; and

WHEREAS, the Stewart Indian School facility is located within the boundaries of the Washoe aboriginal lands; and

WHEREAS, the Stewart Indian School and facilities were created for the use by the Nevada Tribes and other tribes for educational and vocational purposes; and

WHEREAS, the Bureau of Indian Affairs has decided to close the Stewart Indian School and the surrounding Federal facilities and properties; and

WHEREAS, the Washoe Tribe desires to retain the Stewart Indian School facilities and properties for the beneficial uses of the Nevada Tribes; and

WHEREAS, the Washoe Tribe and the Inter-Tribal Council of Nevada are seeking to retain the aforementioned property and facilities in trust status for the Washoe Tribe;

NOW, THEREFORE, BE IT RESOLVED the Inter-Tribal Council of Arizona supports and endorses the efforts of the Washoe Tribe and the Inter-Tribal Council of Nevada in their pursuit, through congressional action, to have the Washoe aboriginal landbase on which the Stewart Indian School is located and its facilities remain with the Washoe Tribe.

FURTHER BE IT RESOLVED the Inter-Tribal Council of Arizona supports the Washoe Tribe in their effort to have the Stewart Indian School lands and facilities placed in trust status for use by the Washoe Tribe as deemed proper.

CERTIFICATION

The foregoing was presented and adopted at a duly called meeting of the Inter-Tribal Council of Arizona on September 16, 1981, where a quorum was present and the same was unanimously passed.

September 15, 1980

Mr. Robert L. Hunter
Superintendent
Western Nevada Agency
Stewart, Nv 89437

Dear Mr. Hunter:

Attached please find a signed copy of the Use Permit for the Stewart Lands. Also attached is a revised Property List which the Tribe has determined acceptable. This revised list was re developed with the assistance of school personnel.

Your assistance in this matter is greatly appreciated and the Tribe is happy to accept the challenge to maintain and preserve this property for the Bureau.

Sincerely,

Robert L. Frank
CHAIRMAN, WASHOE TRIBAL COUNCIL

RLF:bf

Enclosures

Resolution No. 81-W-30

RESOLUTION OF THE GOVERNING BODY
OF THE
WASHOE TRIBE OF NEVADA AND CALIFORNIA

WHEREAS, the Washoe Tribe of Nevada and California is organized under provisions of the Indian Reorganization Act of June 18, 1934 (48 Stat. 594), as amended, to exercise certain rights of home rule and be responsible for the general welfare of its membership; and

WHEREAS, the Western Nevada Agency has been located in Stewart for a number of years; and

WHEREAS, the Agency has contributed to the progress of the Washoe Tribe and the other Tribes in the area.

NOW THEREFORE BE IT RESOLVED THAT THE Washoe Tribal Council opposes the proposed move of the Agency from Stewart to Carson City.

BE FURTHER RESOLVED THAT Washoe Tribal Council requests that adequate Operations and Maintenance funds be made available to the Agency for support.

CERTIFICATION

It is hereby certified that the Washoe Tribal Council is the governing body of the Washoe Tribe of Nevada and California and is composed of nine (9) members of whom 9, constituting a quorum, were present at a meeting duly held on the 11th day of September, 1981, and that the foregoing resolution was adopted by the affirmative vote of 9 for, 0 against, and 0 abstentions, pursuant to authority contained in Article VI, Section 1A of the Amended Constitution and Bylaws of the Washoe Tribe of Nevada and California.

September 15, 1981
DATE

Robert L. Frank
ROBERT L. FRANK, CHAIRMAN

August 27, 1981

U.S. Department of the Interior
Bureau of Indian Affairs
Phoenix Area Office
ATTN: Mr. William Fenelli
Acting Area Director
P.O. Box 7007
Phoenix, Az 85011

Dear Mr. Fenelli:

Enclosed you will find copies of some of the correspondence regarding the Stewart Properties. There are others from the individual landowners and the State. I have also enclosed the planning document that the Tribe has completed.

If you should need more copies and copies of the other letters, please do not hesitate to contact our office.

Sincerely,

Beverly J. Frank
Secretary - Administration

Enclosures

August 13, 1981

The Honorable James G. Watt
Secretary of the Interior
Interior Building
18th and C Street, N.W.
Washington, D.C. 20240

Dear Secretary Watt:

The Washoe Tribe is a federally recognized tribe with reservations in Nevada and California. The Tribe has 1,450 members and is organized under a tribal constitution which was adopted on January 24, 1936. A corporate charter was issued to the Tribe by the Secretary on February 24, 1937.

In the early summer of 1980, the Bureau of Indian Affairs announced its intentions to close the Stewart Indian School. Closure of the facility was accomplished in September of 1980.

The Washoe Tribe of Nevada and California, in an effort to become immune to federal cutbacks in grant and contract dollars, leased all lands associated with the Stewart School excluding the school grounds themselves. The immediate purpose of the Tribe in leasing the lands was to increase its agricultural production capabilities. Use of the Stewart Lands for agricultural purposes was felt to be economically advantageous and complimentary to existing ranch operations of the Tribe associated with its Washee Ranch. The Stewart School facility and the ranch lands are all located within the aboriginal lands of the Washoe Tribe. The school historically has served as a national boarding school for Indians from Nevada and throughout the country. It is being considered for registration as a national historic monument.

During the past year the Tribe has been in the process of developing a plan for the use of the Stewart Ranch lands for tribal purposes and has been working with Senators Laxalt and Cannon and Represenaative Santini to introduce legislation to take these ranch lands into trust for the Tribe. These lands are needed by the Tribe as part of its economic development plan and for housing purposes.

With these lands the Tribe believes that it can become economically self-fsufficient and less dependent on federal grants and aids. As part of developing this plan the Tribe has met with and consulted with all adjacent land owners, and has received their support to take these lands in trust.

It was recently brought to the Tribe's attention that on June 11, 1981, Governor Robert List had written to you requesting that part of the Stewart School facility lands be given to the State of Nevada. This was surprising to the Tribe since the Governor had not requested these lands previously when you asked every Governor for a report on Federally Owned Land Transfers Necessary to Meet Community and State Needs. The Tribe feels that this belated request is somewhat unfair because the Tribe has already spent $15,000.00 in preparing a plan for the development of the ranch lands and countless hours of time working with Nevada's congressional delegation to develop legislation. Since these lands are presently used for Indian purposes, justice dictates that they continue to be used for Indian purposes.

In order to resolve any differences with respect to these lands the Tribe met with representatives from the Governor's office and representatives from the State Legislature Interim Finance Committee to discuss the State's interest in these lands. It appears that the state is primarily interested in the School facility's buildings.

Although the Washoe Tribe is only interested in the Ranch lands the Nevada Inter-Tribal Council is presently using several of the buildings for Inter-Tribal purposes and the Bureau of Indian Affairs continues to be housed there. Inter-Tribal Council also would like to have the facility buildings maintained in trust for Indian purposes. Perhaps this matter might be resolved by negotiation between the Nevada Inter-Tribal Council and the Governor's office.

To facilitate economic independence, and social and cultural enhancement of the tribal members, the Washoe Tribal Council requests that the Ranch lands associated with the Stewart Indian School be acquired in trust for the Washoe Tribe. This can be done by legislation or in the alternative, 25 U.S.C. Sections 465 and 467 authorizes you to take lands in trust for Indian Tribes.

I understand that you will be in Nevada during the month of August for the Western Conference of the Council of State Governments and I would appreciate it if I could meet with you while you are here to discuss the Tribe's Interest. Please advise me as to a convenient date and time.

Sincerely,

Robert L. Frank
CHAIRMAN, WASHOE TRIBE

1-Realty

August 6, 1981
Acting Asst.
Area Director, Phoenix

Master Plan for Washoe Tribal Acquisition and
Land Use of the Stewart Indian School Ranch Property.

Deputy Assistant Secretary of Interior for Indian
Affairs (Oporations) - Code 120

The Stewart Indian School was officially closed after the 1980 school term. In addition to the main campus area, which also houses the Western Nevada Agency, the school property included approximately 3,000 acres of ranching land, plus 3,200 acres of Taylor Grazing lands. The school ranch was used for educational purposes, and to provide meat for the school. At the time of closing there were 352 head of cattle located on the ranch.

After the school's closure all educational personnel had departed, and the maintenance and safe guarding of all government property became the responsibility of the small staff of the Western Nevada Agency.

It was determined that the agency did not have the necessary staff nor funds to provide the required upkeep and protection of the school property. During the summer of 1930 the cattle were sold by the agency and the money deposited in the agency's account. The Washoe Tribe, who owns trust land in the immediate area, indicated a desire to acquire the ranch lands in trust and in the interim would, provide the necessary upkeep and protection.

A one year revocable permit was then negotiated with the tribe to provide those services. This permit will expire on September 4, 1981. This also gave them time to prepare the necessary documents for presentation to Congress for proposed legislation action.

The tribe contracted with Resource Concepts, Inc., to prepare a master land use plan for acquisition of the school ranch lands. We are enclosing this document for your review and action.

The Chairman has advised this office that they have the support of the Nevada Congressional Delegation, provided there is no opposition from local government and surrounding land owners. This subject is covered in the planning document.

An appraisal report has been requested, and will be forwarded to your office upon completion.

We concur and support the tribes proposal and recommend this be brought to the attention of the proper officials.

Please advise if we can be of further assistance.

Ernest D. Leivitt

July 29, 1981

Kent Seavey
Preservation Consultant
310 Lighthouse Ave.
Pacific Grove, CA 93950

Dear Kent,

This is to confirm our telephone conversation of July 23. We are pleased to award you a consultant contract to perform the historical resources and architectural survey of the Stewart Indian School Complex including the following:

1. Physical description of the complex including individual survey sheets on each building or related feature.

2. Photographic documentation of the above.

3. Description of the geographic feature of the complex, including mapping.

4. Assessment and recomndation for alternative and a adaptive uses of buildings within the complex.

5. Repair rehabilitation and maintenence schedules and cost nets per building.

6. History of complex.

Materials will be deliverable in a format consistant with a National Register Thematic nomination and for use in public testimony. Contract condition are subject to regulations provided by the Western State Department of Archelogy and Historic Preservation and consultant management systems of Inter-Tribal Council.

Enclosed are consultant forms that should be utilized by yourself and/or subs for work performed. Please remit them to Shayne. Pleased to be in business!

Sincerely,

Lawrence Astor, Chairman
Reno-Sparks Tribal Council

cc/ Harold Wyatt
Mimi Rodden
Bob Hunter
Bob Frank

WASHOE TRIBE OF NEVADA AND CALIFORNIA

INTER-OFFICE
MEMO

TO: FILES

FROM: Robert L. Frank, Chairman

DATE: July 1, 1981

RE: Meeting with Senator Lawrence Jacobson
RE: Stewart Facilities

I met with State Senator Lawrence Jacobson in the Tribal Offices, Brian Wallace was also in attendance. The meeting was arranged to define the State of Nevada's interest in the Stewart Lands.

Lawrence informed me that the State was only interested in the possibility of using Stewart, this would only include some of the buildings in Stewart.

I informed Mr. Jacobson about the Washoe Tribe's efforts to have the adjacent lands taken into trust and that we had been working with the Senators and Congressman in addition to all the other adjacent landowners.

Lawrence said he would get a letter from the State Interim Finance Committee stating that the State would not interfere in the Washoe Tribe's efforts.

We also discussed a meeting to be held on July 16, 1981, here in our Tribal Offices. Included will the State, Bureau of Indian Affairs, Inter-Tribal Council of Nevada and the Washoe Tribe, this meeting will be to begin the discussions regarding the possible uses of Stewart. Lawrence agreed that we need a meeting of this type. Lawrence is to contact the State people, I will contact the Bureau of Indian Affairs, Inter-Tribal Council of Nevada, and Tribal people to attend the meeting on July 16, 1981 at 9:00 a.m.

I have contacted Senator Laxalt's office and advised them of this meeting.

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
P. O. Box 517, Minden, Nv 89423

June 19, 1981

Mr. Robert Frank, Chairman
Washoe Tribe of Nevada & California
Rt. 2, Box 68
Gardnerville, Nv 89410

Mr. Frank:

The Minden Field Office staff has worked with Washoe Tribe representatives to develop conservation plans for both the Washoe Ranch and the Stewart Ranch. Tribal officials have been receptive to our suggestions and have consulted with my specialists before embarking on new agricultural endeavors.

The Washoe Tribe currently has the managerial capabilities and adequate staff to complete conservation practices on their land.

Sincerely,

John R. Capurro

John R. Capurro
District Conservationist

JRC:rmm

May 28, 1981

Department of the Interior
Bureau of Indian Affairs
ATTN: Mr. Curtis Geiogamah
Acting Area Director
Phoenix Area Office
P.O. Box 7007
Phoenix, AZ 85011

Dear Mr. Geiogamah:

Enclosed is the Washoe Tribe's Acquisition and Land Use Plan for the Stewart Properties. This Plan has been forwarded to the Nevada Delegation for their review and to initiate legislation for the land transfer in favor of the Washoe Tribe of Nevada and California.

If you should have any questions regarding this matter, please do not hesitate to contact my office.

Sincerely,

Robert L. Frank
CHAIRMAN

May 5, 1981

U.S. Department of Agriculture
Forest Service
Carson Ranger District
ATTN: Mr. Hiram B. Smith
District Forest Ranger
1536 South Carson Street
Carson City, Nv 89701

Dear Mr. Smith:

Enclosed for your information is a copy of the final draft of the Stewart Ranch Land Use Plan.

On behalf of the Washoe Tribe of Nevada and California, I thank you for the support and assistance your agency has provided regarding the Washoe Tribe's efforts to gain title to the Stewart Ranch Lands.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosure

May 5, 1981

U.S. Department of the Interior
Bureau of Land Management
ATTN: Mr. Thomas J. Owen
District Manager
1050 E. William Street, Suite 335
Carson City, Nv 89701

Dear Tom:

Enclosed for your information is a copy of the final draft of the Stewart Ranch Land Use Plan.

On behalf of the Washoe Tribe of Nevada and California, I thank you for the support and assistance your agency has provided regarding the Washoe Tribe's efforts to gain title to the Stewart Ranch Lands.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosure

United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
WESTERN NEVADA AGENCY
STEWART, NEVADA 89437
(702) 882-3411 Ext. 22/23

IN REPLY REFER TO:
Real Prop. Mgmt.
308 Washoe Tribal Withdrawal

APR 28 1981

Mr. Robert Frank, Chairman
Washoe Tribal Council
Route 2, Box 68
Gardnerville, NV 89410

Dear Mr. Frank:

This acknowledges receipt of Washoe Tribal Resolution No. 81-W-11 dated April 14, 1981, relative to the withdrawal of certain land formerly occupied by the Stewart Indian School.

We have requested an appraisal of the land as described in subject tribal resolution.

A new communique from the Office of Trust Responsibilities dated July 18, 1980, states the necessity for complete detailed information concerning all bills or legislative proposals affecting real property on which the Bureau of Indian Affairs must make a report.

The report will include not only historical data, but all relevant facts leading up to the circumstances which prompted the proposed legislation.

The report will also include answers to the following items:

1. Accurate land descriptions.

2. Map of the area indicating improvements, if any, including fences, etc.

3. Valuation, including separate breakdown for land and buildings. Figures should be submitted for the original cost of the land, original cost of buildings with date of construction, present value of land, and present value of buildings.

4. Date the property was acquired, the authority for the acquisition, and the source of funds used for acquisition.

5. Original reason for acquisition of the land, the use which has been made of it in the past, the present use, if any, and the future need by the government or a statement that it is excess to those needs.

97-158 0 - 82 - 13

6. Ownership of adjacent lands, that is, tribal, allotted, fee, etc.

7. Need for the Indians for the property, the use they propose to make of it, and the objectives they hope to attain by such use. These items should be detailed and as comprehensive as possible.

8. Current tribal resolution requesting the property.

9. If the tribe has a land consolidation program, the effect, if any, of the proposal on that program.

Past experience has shown that where Indian tribes have indicated a desire to have special legislation introduced for their benefit, that if a member or members of their Congressional delegation introduce the legislation, then the Bureau is in a better position to report objectively.

Our request for an appraisal will include the land description of the area involved; however, it is doubtful that a full appraisal of the improvements, i.e., buildings, fences, etc. will be rendered, therefore, the tribe should anticipate obtaining an independent appraisal for the additional valuation needed.

It is also suggested that legislative aid be sought by writing to your Congressmen. If you have any questions, please advise.

Sincerely yours,

Robert L. Hunter
Superintendent

Washoe Tribe of Nevada and California

Highway 395 South, Gardnerville, Nevada 89410
702 / 782-5191 702 / 883-1446 702 / 885-5595

WASHOE TRIBAL COUNCIL MEMBERS

Chairman
ROBERT L. FRANK
(Stewart Rancheria)

Vice-Chairman
ALAN DEXTER
(Carson Colony)

CATHERINE FILLMORE
(Carson Colony)

BEVERLY FRANK
(Woodfords)

EUGENE FRANK
(Dresslerville)

R.DOMAINE SMOKEY, SR.
(Dresslerville)

WAYNE SHOOKS
(Off Reservation)

CLAUDIA ANN WADE
(Woodfords)

VERNON WYATT
(Off Reservation)

Secretary - Treasurer
CLARE L. SMOKEY
(Appointed)

Mail Address:
RT. 2, BOX 68
GARDNERVILLE, NEVADA

Tribal Manager
LEON JACOBS

April 28, 1981

U.S. Department of the Interior
Bureau of Indian Affairs
Phoenix Area Office
Mr. Curtis Geiogamah
P.O. Box 7007
Phoenix, Az 85011

Dear Mr. Geiogamah:

Enclosed please find the signed copies of the Use Permit, for the Stewart Ranch Properties. I have also enclosed a signed Resolution which was adopted by the Washoe Tribal Council at their regularly scheduled meeting.

If you would return a signed copy of the Use Permit to our office for our files, it would ge greatly appreciated.

Should you need additional information or further clarification, please do not hesitate to contact our office.

Sincerely,

Robert L. Frank

Robert L. Frank
CHAIRMAN, WASHOE TRIBE

RLF:bf

Enclosures

April 28, 1981

Bureau of Indian Affairs
Phoenix Area Office
ATTN: Mr. Curtis Geiogamah
Acting Area Director
P.O. Box 7007
Phoenix, AZ 85011

Dear Mr. Geiogamah:

The Washoe Tribe is requesting a meeting with you or your representative to discuss the possibility of lease-permitting the Stewart Campus. In a meeting on April 20th, the Washoe Tribal Council discussed the operational costs involved with the Stewart facility as it now exists.

The Washoe Tribe does not have the funds necessary to continue the Stewart facility with the current costs involved. However, in the event the Agency is moved, the Washoe Tribe would be interested in lease-permitting the Stewart facility at a very low maintenance level.

If the Tribe were able to permit the facility, we would then initiate a planning program to review the possibility of generating income to operate the facility either by leasing or renting the facilities to other entities.

I look forward to meeting with you to discuss the matter, hopefully, we can keep the facility in the control of a tribal entity.

If you need any additional information regarding this request, please contact my office.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

April 22, 1981

Mr. Robert L. Hunter
Superintendent
Western Nevada Agency
Stewart, Nv 89437

Dear Mr. Hunter:

Enclosed is Washoe Tribal Resolution No. 80-W-11. Resolution No. 81-W-11 requests that the Stewart School lands be taken into Trust for the Washow Tribe of Nevada and Califomnia.

If you need any additinnal information regarding this matter, p.ease contact my office.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosure

RESOLUTION NO. 81-W-11

RESOLUTION OF THE GOVERNING BODY

OF THE

WASHOE TRIBE OF NEVADA AND CALIFORNIA

WHEREAS, The Washoe Tribe of Nevada and California is organized under provisions of the Indian Reorganization Act of June 18, 1934, (48 Stat. 594), as amended, to exercise certain rights of home rule and be responsible for the general welfare of its membership; and

WHEREAS, the Washoe Tribe's land base is inadequate to meet the housing and economic development needs of the tribal members; and

WHEREAS, the Stewart Indian School has been closed; and

WHEREAS, the Washoe Tribe of Nevada and California presently have permitted the Stewart Indian School lands; and

WHEREAS, the Stewart Indian School lands are within the Washoe Tribe's aboriginal territory; and

WHEREAS, to facilitate economic independence, and social and cultural enhancement of the Tribal members, the Washoe Tribal Council requests that these lands associated with the Stewart Indian School be acquired into Trust for the Washoe Tribe.

NOW THEREFORE BE IT RESOLVED THAT the Nevada Congressional Delegates are requested to introduce appropriate legislation that will convey certain Stewart Indian School lands to the Washoe Tribe of Nevada and California.

NOW THEREFORE BE IT RESOLVED by the Washoe Tribal Council that the Bureau of Indian Affairs provide full assistance and cooperation to help this request succeed, and the Bureau of Indian Affairs begin preparing the necessary background reports, recommendations assessments required for legislation.

BE IT FURTHER RESOLVED THAT the Chairman, Vice-Chairperson and Secretary-Treasurer be authorized to take any action necessary to have the Tribe's request approved.

BE IT FURTHER RESOLVED THAT the Washoe Tribe request certain Stewart School Ranch lands be withdrawn from the Bureau of Indian Affairs and added to and made a part of the Washoe Tribal lands, to be held in Trust by the United States of America for the benefit and use of the Washoe Tribe of Nevada and California.

CERTIFICATION

It is hereby certified that the Washoe Tribal Council is the governing body of the Washoe Tribe of Nevada and California and is composed of nine (9) members of whom 7, constituting a quorum, were present at a meeting duly held on the 14th day of April, 1981, and that the foregoing resolution was adopted by the affirmative vote of 7 for 0 against 0 abstentions pursuant to authority contained in Article IV Section 1A, of the Amended Constitution and Bylaws of the Washoe Tribe of Nevada and California.

April 15, 1981
DATE

Clare L. Smokey
CLARE L. SMOKEY
SECRETARY/TREASURER

ITCN-81-6

RESOLUTION

INTER-TRIBAL COUNCIL OF NEVADA, INC.

STEWART LAND TITLE TO WASHOE'S

We, the Executive Board of the Inter-Tribal Council of Nevada, Inc., as the body composed of the elected representatives of the twenty-three (23) Indian reservations and colonies in Nevada and recognized by the State of Nevada as the duly chartered Indian organization which speaks for the wishes and desires of the state's Indian population, do hereby resolve:

WHEREAS, the Inter-Tribal Council of Nevada, Inc. has a continuing interest in the health and well-being of the Indian population, and

WHEREAS, the Bureau of Indian Affairs (BIA) has decided to close the Stewart Indian School, south of Carson City, Nevada, and surrounding facilities and properties, and

WHEREAS, the Stewart Indian School, facilities, and properties were created for use by the Nevada Tribes for education and vocational purposes, and

WHEREAS, the Inter-Tribal Council of Nevada desires to retain the Stewart Indian School, facilities and properties for the beneficial uses of the Nevada Tribes, and

WHEREAS, the Washoe Tribe of Nevada and California is seeking congressional support to sponsor legislation to hold all properties in trust for the Washoe Tribe, and

WHEREAS, the Stewart school property is located within the original boundaries of the Washoe aboriginal lands, and

WHEREAS, the Washoe Tribe has completed extensive preliminary plans for the future use of the aforementioned land and facilities,

NOW THEREFORE BE IT RESOLVED, the Inter-Tribal Council of Nevada supports and endorses all endeavors of the Washoe Tribe to have the Stewart Indian School, facilities and properties held in trust on behalf of the Washoe Tribe, and

BE IT FURTHER RESOLVED, the Washoe Tribe proceed with the utmost haste to have the Nevada Congressional Delegation introduce legislation to hold in trust the lands for use by the Washoe Tribe as they deem proper.

CERTIFICATION

The foregoing resolution was adopted at a duly called meeting of the Inter-Tribal Council of Nevada, held on the 19th day of March, 1981 at Las Vegas, Nevada, by an affirmative vote of 10 for, 0 against, and 2 abstentions.

Linda Howard, Secretary
ITCN Executive Board

United States Department of the Interior

IN REPLY REFER TO
2325
(N-037)

BUREAU OF LAND MANAGEMENT
District Office
1050 E. William St., Ste. 335
Carson City, Nevada 89701

Resource Concepts, Inc.
340 N. Minnesota Street
Carson City, Nevada 89701

APR 2 1981

Dear Gentlemen:

We appreciate being given the opportunity to review the Washoe Tribe of Nevada and California's plans to utilize private lands formerly associated with the Stewart Indian School. Some of these lands are used in conjunction with the BLM's Jack's Valley Wildlife Management Area. Once the tribe finalizes the transfer of the school lands we should get together again to review management goals of both plans with regard to the grazing use. The tribe's desire to have the Stewart School lands transferred to a trust status as a part of the reservation, does not conflict with BLM plans in the future.

Sincerely yours,

Thomas J. Owen
District Manager

cc: Mr. Bob Frank
Washoe Tribe of Nv. & Cal.
Rt. 2 Box 68
Gardnerville, NV. 89410

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Carson Ranger District
1536 So. Carson Street
Carson City, NV 89701

April 1, 1981 5540

Robert L. Frank, Chairman
Washoe Tribal Council
Washoe Tribe of Nevada and California
Route 2, Box 68
Gardnerville, Nevada 89410

Dear Mr. Frank:

I have reviewed the proposal to transfer the BIA lands associated with Stewart Indian School to the Washoe Tribe.

The Toiyabe National Forest has no objection to this transfer except that the surplus lands within the Toiyabe National Forest should be retained by the United States as National Forest land. There are three parcels: approximately 160 acres in the W½ of the NE¼ Section 2; and the E½ of the NW¼ Section 2; and approximately 40 acres in the SE¼ of the NW¼ Section 21; and approximately 40 acres in the NE¼ of the NE¼ Section 28, all of T.14N., R.19E., MDB&M.

However, due to the special circumstances associated with the 160 acre parcel in Clear Creek (the W½ of the NE¼ Section 2; and the E½ of the NW¼ Section 2), we would not object to the Washoe Tribe acquiring it.

We do, however, strongly recommend that the 40 acre parcels in Sections 21 and 28 be retained as National Forest land.

Thank you for the opportunity to review and comment on the proposal.

Sincerely,

H B Smith

HIRAM B. SMITH
District Forest Ranger

Resolution No. RY-81-4

YERINGTON, NEVADA 89447

RESOLUTION OF THE
YERINGTON PAIUTE TRIBE

Be it resolved by the governing body of the Yerington Paiute Tribe:

WHEREAS, the Yerington Paiute Tribe of Nevada adopted and ratified their Constitution and By-Laws according to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935 (49 Stat. 378) and which was amended January 5, 1976, and

WHEREAS, the Department of Interior's Bureau of Indian Affairs recommended closure of the Stewart Indian School and received congressional endorsement which effectively closed Stewart in September of 1980, and

WHEREAS, the Nevada tribal groups desire to acquire Stewart since it's historical purpose defined enrollment specifically for Nevada's native Paiute, Washoe, and Shoshone peoples, and

WHEREAS, the Yerington Paiute Tribe is a member of the Inter-Tribal Council of Nevada, Inc. whose Board adopted a resolution supporting the Washoe Tribe's endeavor to acquire the Stewart property legislatively, and

WHEREAS, without the prior knowledge of, discussion of, and direction by the Yerington Paiute Tribal Council, the Yerington Paiute Tribal Chairman respectfully abstained from voting on the Washoe Tribe's request.

NOW THEREFORE BE IT RESOLVED, that the Yerington Paiute Tribal Council formally endorses it's support to the Washoe Tribe's legislative land withdrawl request.

BE IT FURTHER RESOLVED, that the Washoe Tribe respectfully consider the inclusion of Stewart proper within their application.

BE IT LASTLY RESOLVED, that the Washoe Tribe make every effort to acknowledge the intent, and desire of the Inter-Tribal Council of Nevada's Executive Board regarding the Stewart buildings, grounds, and planned use.

CERTIFICATION

It is hereby certified that the foregoing resolution of the governing body of the Yerington Paiute Tribe, of the Yerington Indian Reservation, composed of a Chairman and six members of whom -

1. Linda L. Howard
2. Pauline Johnson
3. Pamela Munoz
4. Robert Williams
5. Lawrence Conway
6. Josephine Rogers

FIVE constituting a quorum were present at a meeting held on the 25th day of MARCH 1981, and the foregoing resolution was adopted by an affirmative vote of 5 for and 0 against, pursuant to the authority contained under Article VI, Section 1(c) of the Yerington Paiute Tribe's Constitution and By-Laws.

Linda L. Howard, Tribal Chairman

ATTEST:

Sheila Hall 1s/ R
Sheila Hall, Recording Secretary

STATE

December 22, 1981

The Honorable James G. Watt
Secretary of the Interior
Department of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240

Dear Secretary Watt:

In a letter dated June 11, 1981, I indicated that the State of Nevada was interested in a portion of the Stewart Indian School facility which is under consideration for disposal located south of Carson City. You indicated to me at the Jackson Hole meeting of the Western Governors' Conference in September that the possibility of transfer under Title 25, Section 293a of the U. S. Code would be a favorable vehicle for transfer of up to 50 acres to the State. Since that time, I have secured the concurrence of the State Legislature to request acquisition of a 48.2 acre parcel.

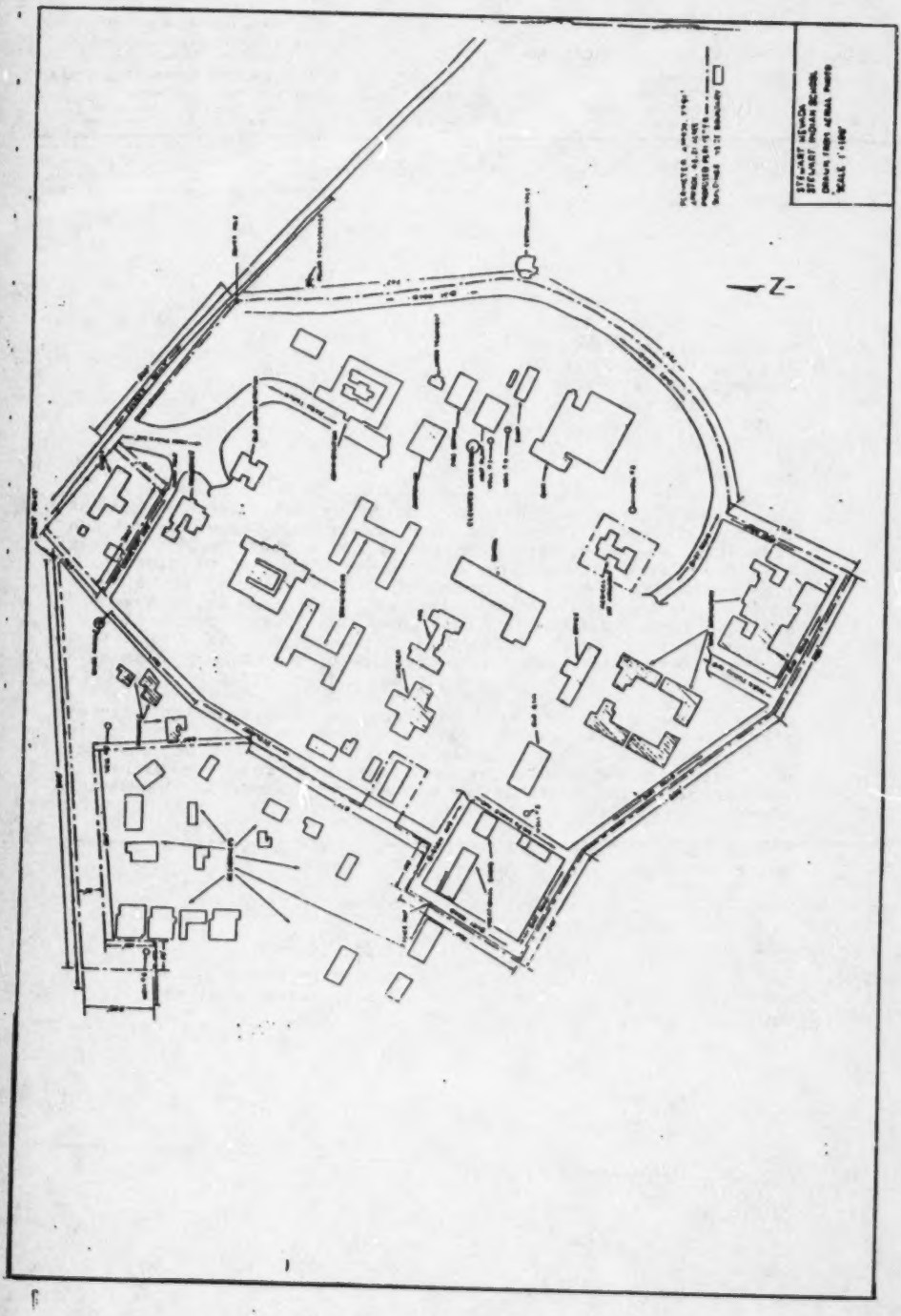
I am prepared to indicate to you now that the State of Nevada is prepared to accept transfer of the land for State purposes on July 1, 1982. In addition, information enclosed from my State Lands Division will supply your staff with the legal description necessary for the transfer to take place. A detailed inventory of property and material is scheduled for completion soon. As you are no doubt aware, Senators Cannon and Laxalt have introduced Senate Bill 1853 which secures a large portion of the Stewart properties in trust for the Washoe Tribe of Nevada and California.

I certainly appreciate your cooperation in this matter, and if I can be of any further clarification or answer any questions, please let me know.

Kathy and I send our best wishes to you and your family for the holidays and the coming year.

Sincerely,

ROBERT LIST
Governor



STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU
LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

ARTHUR J. PALMER, *Director*
(702) 885-5627

LEGISLATIVE COMMISSION (702) 885-5627
ROBERT R. BARENGO, *Assemblyman, Chairman*
Arthur J. Palmer, *Director, Secretary*
INTERIM FINANCE COMMITTEE (702) 885-5
FLOYD R. LAMB, *Senator, Chairman*
Ronald W. Sparks, *Senate Fiscal Analyst*
William A. Bible, *Assembly Fiscal Analyst*

FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5627
JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5622
ANDREW P. GROSE, *Research Director* (702) 885-5637

November 23, 1981

Robert L. Frank, Chairman
Washoe Tribal Council
Washoe Tribe of Nevada
and California
Route 2, Box 68
Gardnerville, NV 89410

Dear Bob:

This letter is being sent to confirm my telephone request of Tuesday, November 17th and our subsequent conversation on Wednesday, November 18th, concerning the Washoe Tribe's Master Plan for the Stewart Indian School properties. As we discussed, I am requesting a copy of the tribe's Master Plan for the Stewart Indian School proper and all adjoining lands east of Highway 395 pursuant to the discussions held about the Stewart properties at the November 12, 1981, Interim Finance meeting. As I mentioned to you on Wednesday, should reproduction of this Master Plan be a problem for you, we can copy it in our office.

Also, as we discussed, to facilitate the understanding between the Indian people and the State of Nevada with regards to the future uses of the Stewart properties, we will be happy to meet with you and your representatives to discuss the proposals further after we have had an opportunity to review the Master Plan.

Should there be any questions, please don't hesitate to contact me at 885-5640. I look forward to hearing from you.

Sincerely,

Judy Matteucci

Judy Matteucci,
Deputy Fiscal Analyst

JM/ca

EXCERPT FROM INTERIM FINANCE COMMITTEE MEETING MINUTES
NOVEMBER 12, 1981

Mr. Mike Alestuey, Deputy Budget Director, appeared on behalf of the Labor Commissioner to present this request.

MR. HICKEY MOVED TO APPROVE THE REQUEST.
SECONDED BY SENATOR GLASER AND CARRIED.

(aa) Position Changes:

(1) Conservation (Forestry) - Mr. Lodi Smith, State Forester, requested permission to change a Forestry Foreman III to a Forester I as recommended by State Personnel. The increase in salary will be paid out of the nursery operation which is self-supporting.

SENATOR GIBSON MOVED TO APPROVE THE REQUEST.
SECONDED BY MR. BRADY AND CARRIED.

(2) Conservation (Forestry) - Mr. Smith requested that a Public Service Intern III position be changed to a Forester I and said that the position is totally federally funded.

SENATOR WILSON MOVED TO APPROVE THE REQUEST.
SECONDED BY MR. BARENGO AND CARRIED.

(3) Energy - Mr. Steve Robinson requested a change in classification from a Management Assistant I to a Management Assistant III since the responsibilities have changed from clerical to program and office management.

MR. BREMNER MOVED TO APPROVE THE REQUEST.
SECONDED BY MR. HICKEY AND CARRIED.

(4) General Services (Personnel) - Mr. Mitch Brust requested that a Supervisor Central Personnel be upgraded to Manager, Payroll and Information Systems to change from a technical to a professional status.

SENATOR GLASER MOVED TO APPROVE THE REQUEST.
SECONDED BY MR. HICKEY AND CARRIED.

(5) Wildlife - Mr. George Tsukamoto requested that a Fish and Game Agent IV position be reclassified to a Fish and Game Agent V at the headquarters office in Reno.

MR. BREMNER MOVED TO APPROVE THE REQUEST.
SECONDED BY SENATOR JACOBSEN AND CARRIED.

Item 8--Stewart Indian School--Governor's Report and request for action.

Mr. Steve Robinson, Director, Department of Energy, appeared on behalf of Charles Wolff, Jr., chairman of the ad hoc committee to review the Stewart Indian School situation. Mr. Robinson referred to Governor List's letter to Chairman Lamb dated October 29, 1981, recommending the acquisition of 50 acres of the Stewart Indian School from the Department of the Interior and urging the committee's approval of such acquisition. A copy of Governor List's letter, together with a description of the property, a map, and Mr. Wolff's report to the Governor is attached as Exhibit G.

In discussing the ad hoc committee's report, Mr. Robinson commented that everyone who inspected the property realized it would take a great deal of money "to put inmates out there." Mr. Bremner asked if the site was intended for a prison and Mr. Robinson

said that was the intent. In response to Chairman Lamb's question, Mr. Robinson said that minimum custody level prison facilities for honor camps, geriatric centers and compatible administrative offices had been discussed.

Senator Wilson and Mr. Barengo agreed that the resolution that was introduced during the last session did not limit the Stewart Indian School to any one particular use and no judgment was made on what the use would be. Chairman Lamb also agreed and said that the committee would decide what would be placed there.

Mr. Robinson stated that assurances have been received from the Department of the Interior that the specific use does not have to be stated before the transfer is made. He further told Chairman Lamb that it had been estimated it would cost $9 million to refurbish the existing facilities on the campus. Chairman Lamb said he had thought that trusties from the prison might be housed at the facility to reduce the possibility of building another $40 million prison.

Mr. Hickey asked if the request for transfer had to state what the premises would be used for. Mr. Robinson said a letter to the Department of the Interior had stated that one of the possible uses would be for inmates but he was not sure whether it was necessary to state the use or not.

Senator Wilson felt that the state should endeavor to acquire the total Stewart property. Mr. Robinson pointed out that a provision of the U.S. Code permits the Secretary of the Interior to administratively convey up to 50 acres of surplus Indian School property to a state government. A request to acquire the balance of the property would require an act of Congress. Mr. Bruce Greenhalgh, Director, Department of General Services, said that the state had attempted to select the 50 acres that was most critical to any plan the state wanted to develop and to obtain immediate title. A followup acquisition of adjacent property could then be pursued.

Senator Jacobsen informed the committee that according to a "Save Stewart Committee Report" the total Stewart property consists of slightly over 3000 acres which includes a 300 acre parcel on which the 60-70 building Stewart Indian School complex is located, 160 acres above Fuji Park, some properties on Clear Creek, and in excess of 2500 acres in ranch land located in the northern Carson Valley-Jacks Valley area, approximately 8 miles south of Carson City. In addition, the report indicated that the Stewart School properties include substantial Clear Creek watershed rights, some water rights on the Carson River and one-eighth of the water rights of Jacks Creek.

Mr. Hickey asked if any transfer would include the water rights and Mr. Robinson said that the Secretary of the Interior had been requested to convey all water rights to the state along with the land.

SENATOR WILSON MOVED THAT THE COMMITTEE CONCUR IN THE ACQUISITION OF THE 50 ACRES ADMINISTRATIVELY FROM THE DEPARTMENT OF THE INTERIOR AS REQUESTED BY THE GOVERNOR AND FURTHER ENDORSE ACQUISITION OF THE REMAINING ADJACENT ACREAGE SURROUNDING THE SCHOOL (APPROXIMATELY 250 ACRES) WITH THE UNDERSTANDING THAT THIS APPROVAL NOT BE TIED TO ANY PARTICULAR USE OF THE FACILITY.

Mr. Robert Frank, Chairman of the Washoe Tribe of Nevada and California, told the committee that the Washoe Tribe is engaged in an effort to have the Stewart property placed in trust for its use. A legislative package has been prepared for introduction before the United States Congress and the tribe is requesting the use of all lands with the exception of that where the Stewart Indian School facilities are located.

Mr. Frank spoke of the need of the Indians for housing, group homes and juvenile detention facilities and of the importance of the lands to the tribe. He discussed the requirements the Nevada Congressional Delegation had set forth to have the proposed bill introduced. Mr. Frank said that representatives of the Washoe Tribe have met with representatives of the Governor's office, the Forest Service, the Bureau of Land Management, and all adjacent land owners. Letters of support have been received from Carson City, Douglas County and some state agencies. Mr. Frank expressed his willingness to appear before the committee at any time to explain the plans and needs of the Indians.

Senator Wilson said he was not aware of the Washoe Tribe's plan and he would limit his motion to approval for acquisition of the 50 acres recommended. He suggested that staff meet with Mr. Frank and determine the potential uses of the lands as contemplated by the Indian people for the acreage adjacent to the Stewart Indian School.

Mr. Frank referred to the buildings situated on the 50 acre complex and said some of the facilities could meet the Indian's need for juvenile homes, halfway houses or homes for the elderly. He suggested that the facilities might be compatibly shared with the state. Senator Wilson said he had no objection to exploring the possibility of sharing.

SENATOR WILSON MOVED THAT THE COMMITTEE APPROVE ACQUISITION OF THE RECOMMENDED 50 ACRES FROM THE DEPARTMENT OF THE INTERIOR. SECONDED BY SENATOR JACOBSEN AND CARRIED.

Mr. Frank said that, on behalf of the Washoe Tribe and all other Indians in Nevada, he would be willing and happy to meet with the staff and define the anticipated use of various areas of the Stewart lands.

Item 9--Gifts, grants, and work program revisions not considered within 15 days from receipt and requiring expeditious handling.

Mr. Bible referred to two work programs which had become effective in the absence of committee approval and said this item was for the committee's information and no action was required.

Item 10--Informational items for the committee.

Mr. Bible said these items were for the committee's information only.

Item 11--Adjournment.

The State of Nevada
Executive Chamber

Robert List
Governor

Capitol Complex
Carson City, Nevada 89710

October 29, 1981

The Honorable Floyd R. Lamb
Chairman
Interim Finance Committee
Legislative Building
401 South Carson Street
Carson City, Nevada 89710

Dear Mr. Chairman:

On June 24, 1981, your committee voted to endeavor to acquire the Stewart Indian School and requested my assistance in the matter. I am pleased to report to you that substantial progress has been made toward the acquisition. However, before the actual transfer request is made to the Secretary of the Interior, I felt it important to inform your committee of the findings to date, the significant fiscal implications of such a transfer (both short- and long-range) and the provisions of federal law under which the transfer will be accomplished. Finally, this notification is intended to fulfill requirements of NRS 353.335 2(c) which requires, in part, that acceptance of grants of property be submitted to the Iterim Finance Committee.

As you may be aware, I appointed an ad hoc committee, chaired by Charles Wolff, Jr., to review the Stewart Indian School situation and make a recommendation to me. The report of that committee is attached. Briefly, the committee report indicates that the Stewart Indian School could serve a wide range of state needs. On the other hand, the report indicates that substantial costs to the state will accompany the acquisition.

I propose to acquire approximately 50 acres of the Stewart Indian School from the Department of the Interior. The exact area to be acquired is described on the enclosed map. Said transfer would be accomplished through a direct transfer to the State of Nevada by the Secretary of the Interior. Such a transfer is authorized by Title 25 §293a of the United States Code, and personal discussions I have had with Secretary Watt indicate that he is favorably inclined to approve our request. It is important to proceed quickly with this request, and your support, recognizing future financial and staffing implications, is urged.

Sincerely,

ROBERT LIST
Governor

STATE OF NEVADA

DEPARTMENT OF PRISONS

BOARD OF PRISON COMMISSIONERS
ROBERT LIST, Governor
RICHARD BRYAN, Attorney General
WM. D. SWACKHAMER, Secretary of State

CHARLES L. WOLFF, JR.
Director
Administrative Office
P.O. Box 607
Carson City, Nevada 89701
Phone (702) 885-5282

October 7, 1981

DESCRIPTION OF STEWART INDIAN SCHOOL PROPERTY
REQUESTED BY THE NEVADA DEPARTMENT OF PRISONS:
BY THE METES AND BOUNDS

Beginning at the West-gate-post on the Stewart Avenue, West 909 feet; then 200 feet South at a right angle; then 50 feet East at a right angle; then 120 feet North at a right angle; then 500 feet parallel with the fence line in an eastern direction; then 420 feet South at a right angle to a point on Stewart Avenue. Southwest 677 feet to the Northwest corner of Gibson and Stewart Avenues; then 100 feet Northwest to a point directly opposite the West-gate-post on the dirt road West of the West Vocational Shop; Follow the dirt road in a Southwest direction for 360 feet then 340 feet Southeast at a right angle; then 600 feet in a more Southerly and East direction to the East corner of Mark Twain Avenue; then South and East 388 feet to the Southeast corner of the Boy's Dormatory then Northeast for 416 feet. Follow the dirt road on the East side for 794 feet to a large Cottonwood tree; then continue North on the East side of the dirt road for 747 feet to the power pole just South of Snyder Drive. Follow the fence line parallel to Snyder Drive in a Northwest direction 500 feet to the West-gate-post of Mark Twain Avenue; then 150 feet South to the power pole on the corner of Crescent Avenue and Snyder Drive; then Northwest 300 feet parallel to the North side of Crescent Avenue to the Southeast corner of Crescent Avenue and Stewart Avenue; then Northeast 220 feet to the East gate of Stewart Avenue, opposite the starting point.

THE ABOVE DESCRIPTION IS:

SW Quarter of the SE Quarter, Section 32, Township 15 N, Range 20 E.

Includes portion of the South half of the NW Quarter of the SE Quarter, plus a portion of the West half of the SE Quarter of the SE Quarter.

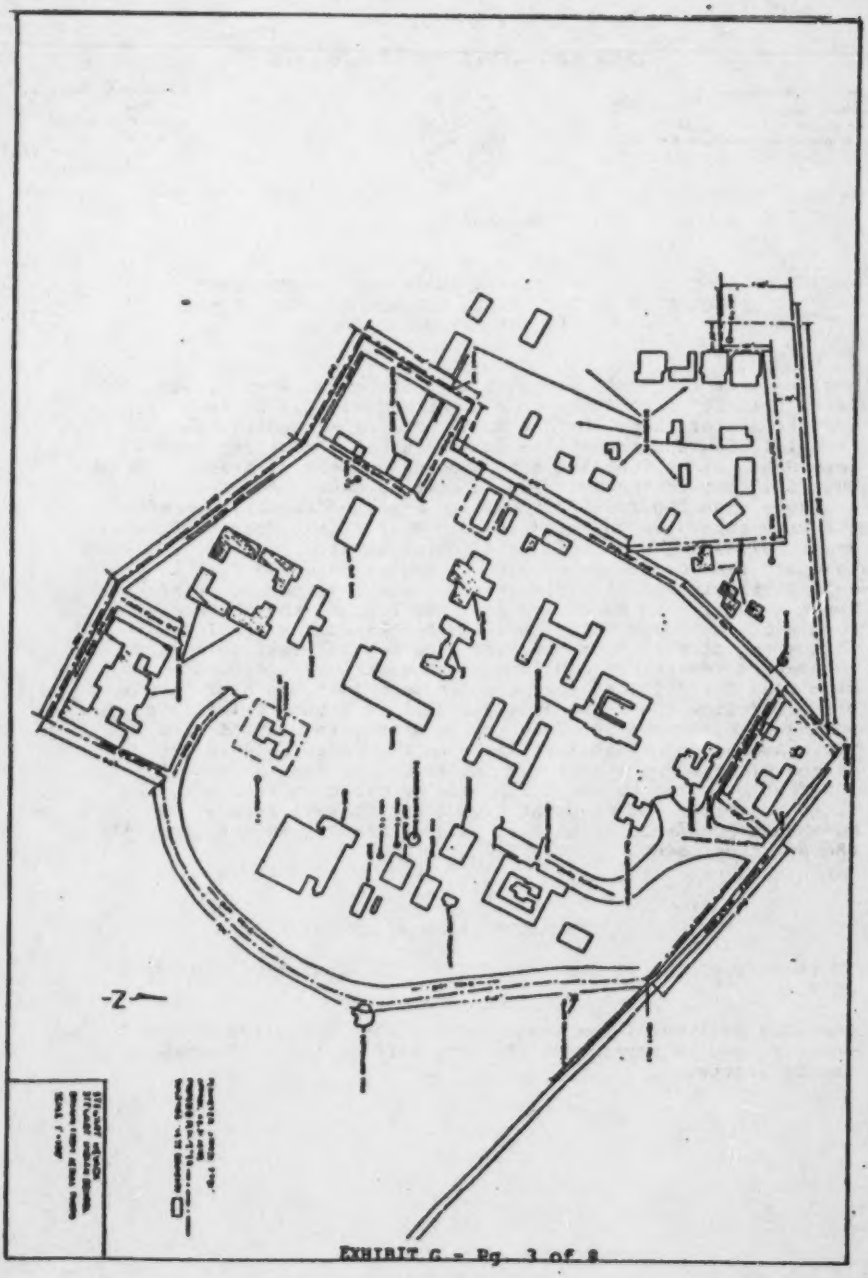


EXHIBIT G - Pg 3 of 8

STATE OF NEVADA
DEPARTMENT OF PRISONS
OFFICE OF THE DIRECTOR

MEMORANDUM

TO: Governor Robert List DATE: 10/22/81

FROM: Charles L. Wolff, Jr. - Director

SUBJECT: Acquisition of Stewart Indian School Properties

As you are well aware, the Interim Finance Committee on June 24, 1981 suggested informally that the acquisition of a section of the Stewart Indian School properties be pursued through the executive branch. Pursuant to that, you formed an ad hoc committee of which I was named chairman. After review of the properties and related matters, the committee is recommending that acquisition of the properties be seriously pursued by the State of Nevada, and further recommends that the Interim Finance Committee approve and support a request to the Department of the Interior for transfer of approximately fifty (50) acres of property including the area in buildings as outlined on the attached map.

The possible uses of the existing buildings and the property are the following:

1. Various minimum custody level prison facilities; e.g., honor camp, geriatric center, administrative offices.

2. Administrative state offices compatible with correctional operations; e.g., Divisions of Parks and Forestry.

3. State storage and warehouse facilities.

4. Lease to local government or other governmental agencies.

Although the Administration recommends that the transfer be pursued, it should be strongly emphasized that any utilization of this property cannot take place without funding to initially answer engineering questions and ultimately repair structures for use. Although no indepth analysis has been made, it is clear that significant funds will be necessary to upgrade and replace heating and cooling systems, meet fire codes, plumbing and other structural deficiencies in many of the buildings. Approximately $25,000 will be necessary for building analysis

and $5,000 for a property survey.

1. Specifically, the heating systems have the following problems:

   a. Uninsulated heat lines.
   b. Worn out heat lines.
   c. No method of valving off or isolating most buildings.
   d. Boilers appear to be well maintained and serviceable but should be opened and thoroughly inspected to assure that they will qualify for boiler and pressure vessel insurance.
   e. Item (d) also applies to all heat exchanger tanks throughout
   f. Most of the radiators and heat units appear serviceable but repairs due to freezing or corrosion following two years of idleness will be needed.

2. Electrical operations have the following problems:

   a. Some electric lines are overhead and some are underground. Eventually phasing out the overhead should be accomplished.
   b. Street lighting may not be sufficient to provide necessary security.
   c. Most other electrical systems appeared good, but should be checked building by building upon occupancy.
   d. Plans should be furnished for electrical distribution to be used when excavating for heat lines, etc. Also, all underground utility plans such as plumbing, heating, power, telephone, gas, etc., should be made available.

3. Water:

   a. According to Division of Health records there are up to six wells on the compound. That agency indicated that only one is being used. All water rights should be acquired to the well and the surface Clear Creek water rights.
   b. Domestic water should be tested and treated as necessary.
   c. The cost of operating and maintaining the water treatment and testing plant should be thoroughly investigated.
   d. Numerous plumbing problems are anticipated due to the condition of the water and the compound being unused for two years.

4. Sewer and Storm Drains:

   a. The sewer system drains into the South Carson Interceptor Station. The lagoons that were in use prior

to the South Carson Interceptor Station are still there and could be used to collect water from storm drains during heavy runoff.

b. If drain traps were not drained properly or treated with anti-freeze, numerous frozen and broken traps in the drains may be discovered.

5. Kitchen and Food Preparation Areas:

a. Existing equipment looks serviceable, but would have to be tested to assure that steam pots, etc., were properly drained and not frozen.
b. Smaller culinary equipment such as slicers, meat tenderizers, mixers, etc., have already been removed and would have to be replaced.

6. Roofs:

a. Many roofs show signs of leaks. Some roofing appears very poor from the exterior. There are at least three buildings that would have to be reroofed before use. These are all gable roofs and inexpensive composition shingles can be installed by state staff.

7. Building Renovation:

a. All of the buildings that were viewed were in need of some renovation, such as patching, painting, replacing of windows and cleaning of carpets. It appears that at least two of the dormitory buildings could be used with little renovation.
b. Of all the possible problems and costs that we incur, the renovation of the buildings themselves, excluding plumbing, electrical, heating and roofing, would be the easiest and least costly to do if the structural survey certifies the soundness of the buildings.

8. Grounds:

a. Most of the grounds, roads, walks and landscaping have been neglected and need upgrading.
b. Many trees had dead branches and should be trimmed. The Forestry crews could accomplish this.

9. Fencing:

a. If the entire perimeter outlined on the map overlay were fenced, it would require 7,100 feet of 12' fence @ $20.00 per foot for a total of $142,000.00.

The State of Nevada
Executive Chamber

Robert List
Governor

Capitol Complex
Carson City, Nevada 89710

MEMORANDUM

DATE: September 16, 1981

TO: Charles Wolff, Director
Department of Prisons

Steve Robinson, Director
Department of Energy

Roland Westergard
Department of Conservation & Natural Resources

Bill Hancock, Manager
Public Works Board

Elwood Mose, Executive Director
State Indian Commission

Frank Carmen, Administrator
Youth Services Division

John Sparbell
State Planning Coordinator

FROM: Governor List

SUBJECT: Stewart Indian Acquisition

I am hereby designating you as a member of the Task Force to attain the Stewart properties for the State of Nevada. Chuck Wolff will serve as Chairman and Roland Westergard as Vice Chairman. You are all to work aggressively for the acquisition of the Stewart facility for the State of Nevada. I have instructed the Chairman to closely coordinate with Bill Phillips of my office who will be the primary contact with the federal government and specifically the Department of Interior. As some of you have heard, at the Governor's conference in Jackson Hole, Secretary Watt was very encouraging concerning the possible acquisition of a 50 acre tract at the site. However, several unanswered questions must be at least preliminarily analyzed by the first of October in order that a sound and practical acquisition request can be made. Those unanswered questions include water rights, structural soundness and capabilities, heating and cooling systems and specifically formulation of a plot plan of the acreage and the buildings for acquisition.

Finally, I have instructed the Chairman to call a meeting for Thursday, September 17, 1981, at 1:30 in the Capitol building at John Sparbell's office. At this meeting a preliminary task assignment for each of the members should be formulated and a time frame for completion of a report to me to be forwarded to the Secretary of Interior.

As this Committee is aware, some previous studies have pointed to serious earthquake problems in some of the buildings involved. Although this has not been proven, it will certainly have to be studied prior to occupancy of some buildings. Additionally, funds will be necessary to manage the property and use of even the newer structures will require funding. Although inmate crews may be used for certain maintenance functions, a free staff will be necessary to maintain and superintend this large complex.

Finally, in addition to the funds necessary to repair and maintain the complex, the use of the facilities for prison activities and other state activities will not preclude future need for traditional prison cell construction. Although the complex could relieve some overcrowding, only limited and select inmates can be housed in a minimum custody setting such as Stewart.

The Committee is aware that your office has received favorable commitments from the Secretary of Interior for the transfer of properties that includes most of the buildings in the fifty (50) acre parcel.

Again, we are asking that the Interim Finance Committee approve and support the official request by the State of Nevada through the office of the Governor for these properties.

This Committee will be happy to clarify questions that your office may have regarding the recommended transfer.

Charles L. Wolff, Jr.-Director

Attachment: Governor's Letter
of Appointment

Robert List
Governor

The State of Nevada
Executive Chamber
Capitol Complex
Carson City, Nevada 8971

September 17, 1981

Mr. Robert Frank
Chairman
Washoe Tribe of Nevada
and California
Route 2, Box 68
Gardnerville, Nevada 89410

Dear Bob:

Per our telephone conversation, this is to notify you that the Governor currently is proceeding with an effort to receive up to 50 acres of the Stewart campus property through an administrative action. At this time, the state is not considering acquisition of the so-called ranch property, but this does not proclude such an action at a later date if appropriate.

Mr. John Sparbel, State Planning Coordinator, is the contact in this office for the acquisition of tne Stewart property. Any questions you may have can be answered by Mr. Sparbel.

Sincerely,

BILL PHILLIPS
Executive Assist nt

LEGISLATIVE COUNS . BUREAU
LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

ARTHUR J. PALMER, Director
(702) 885-5627

INTERIM FINANCE COMMITTEE (702) 8
FLOYD R. LAMB, Senator, Chairman
Ronald W. Sparks, Senate Fiscal Analyst
William A. Bible, Assembly Fiscal Analyst

FRANK W. DAYKIN, Legislative Counsel (702) 885-5
JOHN R. CROSSLEY, Legislative Auditor (702) 885-5
ANDREW P. GROSE, Research Director (702) 885-56

September 16, 1981

MEMORANDUM

TO: MEMBERS OF THE INTERIM FINANCE COMMITTEE

FROM: Senator Lawrence Jacobsen

SUBJECT: Progress Report--Stewart Indian School Acquisition

At their June 24, 1981, meeting, the Interim Finance Committee unanimously approved my motion that the Committee endeavor to acquire the Stewart Indian School and request the Governor's assistance in the matter. This report is being submitted to provide members of the Committee with a progress report on the Stewart Indian School acquisition efforts.

July 16, 1981 Meeting

On July 16, 1981, Judy Matteucci and I met with representatives of the Washoe Tribe, the Bureau of Indian Affairs (BIA), and the Intertribal Council (ITC) to review the status of the lands and buildings of the Stewart Indian School.

Very little documented information is available on the Stewart properties, however, a "Save Stewart Committee Report" did provide some information. According to the report, the total Stewart properties consist of slightly over 3,000 acres which includes a 300 acre parcel on which the 60-70 building Stewart Indian School complex is located, (a copy of the campus layout is attached as Exhibit A), 160 acres above Fuji Park, some properties on Clear Creek, and in excess of 2,500 acres in ranch land located in the northern Carson Valley/Jacks Valley area (approximately 8 miles south of Carson City). In addition, the report indicates that the Stewart school properties include substantial Clear Creek watershed rights, some water rights on the Carson River and one-eighth of the water rights of Jacks Creek.

The school was closed in 1980 partly on the basis of a [illegible]9 report conducted by WBC Consultants, Inc., for the BIA [illegible] structural adequacy of the facility which concluded that m[illegible]

the buildings on the campus were structurally unsound and did not meet federal and state uniform building codes. The consultants estimated $9.8 million (in 1979 dollars) would be necessary to upgrade and bring all buildings up to code. In addition, Indian representatives at the July 16, 1981, meeting indicated another $17 million would be necessary to replace the buildings that have deteriorated beyond repair. I have attached a copy of a summary prepared by the Research Division of the Legislative Counsel Bureau compiled from the consultant's report which lists each of the buildings and their current structural safety limitations, the cost to upgrade or replace them, as well as the major upgrading work necessary to bring the buildings up to code (Exhibit B).

Even before the July 16 meeting, I received, both through correspondence and direct contact, offers of support for the state's acquisition efforts of the Stewart properties from our congressional delegation. Both Senators Laxalt and Cannon and Representative Santini have continued to offer their help and cooperation throughout the months that have follwed and are ready to assist whenever the final determination for disposition of the lands are made at the state level.

At the July 16, 1981, meeting it was determined that there are four entities interested in acquiring all or part of the Stewart properties. The Washoe Tribe has indicated an intent to petition Congress, through our congressional representatives, to grant the Washoe Tribe the ranch land acreage to be held in trust for the Tribe. The Western Nevada Agency of the BIA is interested in retaining some buildings for use as a regional center of operations. The Intertribal Council (ITC) has an interest in some of the buildings for cultural, rehabilitative and schooling purposes for all Indian people of the state and the state has an interest in acquiring some or all of the lands for correctional, human resources, and office space purposes. However, because no representatives from the administration were in attendance at that meeting, the degree of the state's interest and whether or not it was in conflict with any of the other interests could not be assessed. It was decided a meeting would be held with the State Planning Coordinator on July 21, 1981, to determine the extent of the state's interests in the Stewart properties.

July 21, 1981 Meeting

In addition to all those who attended the July 16 meeting, the July 21, 1981, meeting was attended by the State Planning Coordinator, representatives of the Department of Prisons, the Department of Energy, the State Public Works Board, the Office of Historic Preservation and Archaeology, and the Indian Affairs Commission.

Discussion at the July 21, 1981, meeting centered on the three avenues through which ownership to the Stewart property could be transferred. These avenues are:

1. The land can be declared surplus property and, if no federal agencies are interested in acquiring it, it can be offered to state or local governments. If no governmental agencies are interested, it can be auctioned off.

2. The Secretary of the Interior has the authority to transfer no more than 50 acres to the state without congressional action.

3. An Act of Congress can transfer the entire property to the state or other group.

All of these methods of transfer, however, depend upon the state's interests, which had not yet been determined at the time of the meeting. It was decided that the State Planning Coordinator would conduct a survey of all state agencies to determine the extent of agency interests and the proposals for use of the Stewart lands. This survey was to be transmitted to the Governor upon its completion.

In addition, it was announced at the meeting that the ITC was, through a contract with the State Division of Historic Preservation and Archaeology, conducting a survey to determine whether the school buildings at Stewart could qualify for inclusion on the National Register of Historic Places. Division representatives point out however, that such a designation would probably not have any legal ramifications as to the potential uses for the school. The survey is not due to be completed for several months.

Subsequent Developments

The listing of possible agency uses for the Stewart lands was transmitted to the Governor by the State Planning Coordinator on August 14, 1981. Although I've not seen the report, it is my understanding that all eight agencies who responded were primarily interested in the school campus (with minor exceptions of the Department of the Military and the Department of General Services). The agencies expressing an interest were: the State Public Works Board, the Department of Prisons, the Department of Transportation, the Department of the Military, the Community Services Agency, the Department of Education, the Department of General Services and the Department of Human Resources.

In addition, the U.S. Attorney General's Task Force on Prison Violence has recommended that surplus federal properties (primarily vacant military bases) be used to meet the increasing demand for prison bed space in the United States. There is a distinct possibility that if the Stewart facility is declared as surplus property it could be recommended for use in meeting Nevada's increasing prison facility needs under this Task Force recommendation.

Press reports of a recent meeting of the Western Governors' Conference, indicated that Secretary of the Interior James Watt has agreed in principle to transfer U.S. Government ownership of the Stewart Indian School to Nevada. It was also indicated that the Governor hopes to use the school for additional prison space or an inmate work facility.

At their September 11, 1981 meeting, the State Public Works Board strongly recommended that the state attempt to acquire the Stewart properties with a commitment to the Governor that the Board would offer its help in any way possible.

During the week of September 14, 1981, I met with Governor List, Bill Phillips, Greg Lambert, Chuck Wolff and Steve Robinson to monitor the progress the state is making in acquiring the Stewart properties. At that meeting, I was informed that the Governor's office had made contact with the Indian groups involved and was proceeding with continuing acquisition efforts.

LJ:np

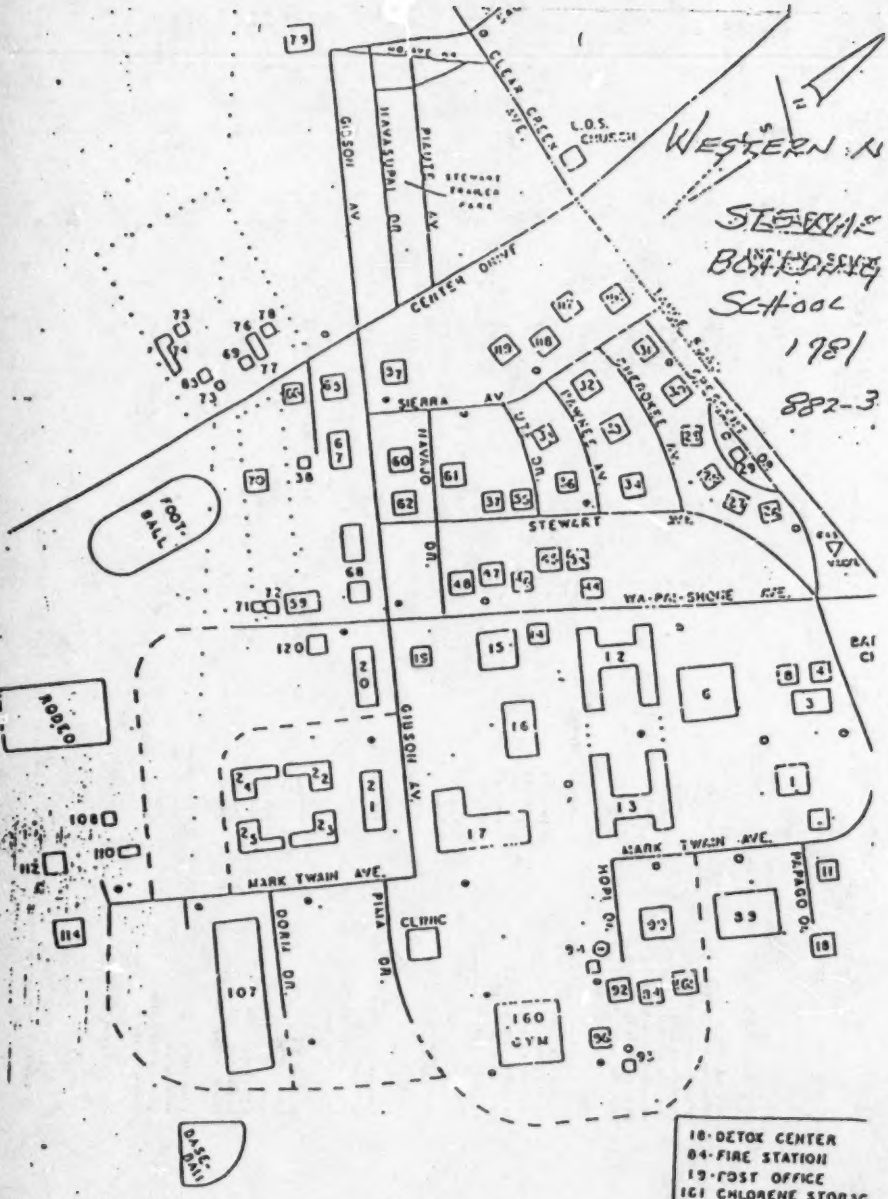


Exhibit A

11/78

From a...271 by ...E Consultants, Inc.

BUILDINGS OR FACILITIES WHICH MAY BE REQUIRED

STEWART, NEVADA

Building or Facility	Construction Type*	Most Recent Use	Year Constructed	Square Footage	Cost to Upgrade	Cost to Replace	Current Safety	Useful Life in Yrs. As Is	Useful Life in Yrs. Upgraded	Major Upgrading Costs**
Store Building #1	1	Offices	1933	5,682	$196,327	$ 282,935	Unsafe	0	40	1=$130,469
Cottage Building #3 (Payne)	1	Quarters	1938	5,917	180,961	193,000	Unsafe	0	1	1= 130,354
Dormitory Building #6	1	Dormitory	1938	10,743	630,932	844,900	Unsafe	0	40	1= 392,437
Dormitory Building #12	1	Dormitory	1941	14,372	901,[illegible]	634,433	Unsafe	0	40	1= 433,83[illegible]
Dormitory Building #13	1	Dormitory	1941	14,372	907,433	634,433	Unsafe	0	40	1= 433,83
Kitchen/Dining Bldg. #15	1	Kitchen/Dining Hall	1942	11,441	361,889	475,000	Unsafe	0	40	1= 323,366
Dormitory Building #16	1	Dormitory	1942	6,416	297,203	367,400	Unsafe	0	40	1= 230,496
School Building #17	2	School	1941	41,826	236,196	1,024,361	Safe	33	40	4= 116,039
										3= 53,760
										4= 39,444
Office Building #18	1	School-Law Enforcement Center	1936	3,700	173,303	132,000	Unsafe	0	40	1= 76,316
Dormitory Building #21	1	Offices	1937	6,662	372,261	346,161	Unsafe	0	40	1= 214,925
Dormitory Building #22	1	Dormitory	1937	6,396	191,661	279,643	Unsafe	0	40	1= 172,936
Dormitory Building #23	1	Dormitory	1937	6,396	192,936	279,643	Unsafe	0	40	1= 172,936
Dormitory Building #24	1	Dormitory	1937	6,396	191,661	279,643	Unsafe	0	40	1= 172,936
Dormitory Building #25	1	Dormitory	1937	6,396	193,612	279,643	Unsafe	0	40	1= 172,936
Duplex Building #26	1	Quarters	1937	3,323	133,039	182,000	Unsafe	0	33	1= 78,319
										2= 13,122
Shed Building #36	3	Shed	1947	200	1,361	3,160	Safe	13	13	3= 1,173
Duplex Cottage Bldg. #62	3	Quarters	1953	2,456	11,894	88,448	Safe	25	25	2= 8,383
										3= 6,303
Cottage Building #63	1	Quarters	1937	7,102	13,056	25,582	Unsafe	13	13	3= 6,107
										2= 3,021
Fourplex Bldg. #67	1	Quarters	1939	4,862	111,338	162,000	Unsafe	6	33	1= 125,665
Cottage Bldg. #70	1	Quarters	1933	3,939	83,236	106,300	Unsafe	6	33	1= 66,12[illegible]
Administration Bldg. #69	1	Offices	1921	17,343	643,111	831,249	Unsafe	0	40	1= 392,31
										3= 16,887
										4= 13,336
Dormitory Building #107	2	Dormitory	1963	32,032	807,044	1,334,100	Safe	25	1	3= 66,132
Cottage Bldg. #116	3	Quarters	1963	1,452	6,240	52,500	Safe	25	25	2= 2,933
Cottage Bldg. #117	3	Quarters	1963	1,264	4,066	43,700	Safe	25	23	2= 2,372
Cottage Bldg. #118	3	Quarters	1963	1,513	4,372	54,700	Safe	25	23	2= 3,070
Cottage Bldg. #119	3	Quarters	1963	1,264	4,066	43,700	Safe	25	23	2= 2,372
Gymnasium Bldg. #160	2	Gymnasium & Recreation	1973	37,150	12,153	3,252,490	Safe	33	33	4= 6,018
										3= 4,216
Water System		Water System			133,300	400,000	-	6	20	Upgrading
Sewer System		Sewer System			1	300,000	-	2	2	Upgrading
Steam Heating System		Heating			1	1,000,000+	-	6	20	Upgrading
Irrigation System		Domestic Irrigation			Under $300 per bldg.	130,000	-	25	43	Upgrading
Electric System		Electricity			1	1	-	5	20	Upgrading

Keys:

*Construction Type: 1 = Combustible Masonry - Wood

**Upgrading Costs: 1 = Rebuilding of Exterior Walls and Structural Strengthening

Compiled by LCA Research Div.
July 11, 1981
From Report by VSE Consultants, Inc.

BUILDINGS OR FACILITIES WHICH SHOULD BE DEMOLISHED

STEWART, NEVADA

Building or Facility	Most Recent Use	Year Constructed	Square Footage	Cost To Upgrade	Cost To Replace	Major Upgrading Costs*
Post Office Building #2	Warehouse	1926	342	$ 35,367	$ 9,060	$ 29,470
Office Building #4	Storage	1938	662	39,420	10,300	33,470
Storage Building #8	Storage	1938	330	49,094	11,370	41,329
Cottage Building #9	Quarters	1939	2,222	123,887	40,000	113,344
Cottage Building #11	Quarters	1923	1,102	63,053	42,350	57,938
Cottage Building #14	Quarters	1939	1,430	66,103	37,000	60,388
Post Office Building #19	Post Office	1	1,646	84,661	40,000	65,866
Gymnasium Building #20	Gymnasium	1938	11,933	474,799	437,000	234,336
Cottage Building #26	Quarters	1937	1,020	95,292	66,000	84,690
Cottage Building #27	Quarters	1939	2,234	86,186	82,000	75,333
Quarters Building #29	Quarters	1933	3,231	135,760	116,500	97,120
Quarters Building #30	Quarters	1939	2,349	120,615	92,000	93,120
Cottage Building #31	Quarters	1939	2,366	103,025	72,263	93,336
Cottage Building #32	Quarters	1941	2,042	103,023	72,263	93,336
Duplex Building #33	Quarters	1941	2,490	100,151	89,337	90,670
Duplex Building #34	Quarters	1941	2,490	100,600	89,337	90,670
Cottage Building #35	Quarters	1942	1,229	84,899	44,426	80,136
Cottage Building #36	Quarters	1942	1,229	84,899	44,426	80,136
Cottage Building #37	Quarters	1936	1,433	73,370	31,731	73,890
Cottage Building #44	Quarters	1937	630	48,900	23,496	48,930
Health Building #53	School	1930	2,373	232,308	94,340	102,336
Quarters Building #57	Quarters	1939	2,730	122,970	94,000	96,120
Duplex Building #63	Quarters	1939	2,490	96,933	89,337	93,670
Duplex Building #81	Quarters	1940	1,632	89,103	66,663	76,965
Shop Building #84	Shop	1931	4,381	135,866	126,493	104,243
Auditorium Building #88	Auditorium	1925	5,837	390,704	207,760	216,019
Boiler Building #92	Utility Bldg.	1926	3,023	198,478	110,500	170,590
Storage Building #96	Warehouse	1940	2,710	123,323	33,000	122,900
Cottage Building #110	Quarters	1939	1,935	73,174	66,980	67,226
Farm Building #112	School	1925	2,322	189,047	112,540	142,441
Storage Building #114	Warehouse	1925	5,671	177,965	102,769	124,422
Cottage Building #151	Quarters	1919	2,783	216,347	113,610	196,698

Key:
*Major Upgrading Costs:
1 = Rebuilding of Exterior Walls and Structural Strengthening
2 = Electrical Modifications
3 = Roofing, Windows, Doors, Flooring, Painting, Interior Modifications
4 = Sprinkler System, Fire Protection
5 = Ventilation, Air Return
6 = Facilities for Handicapped

HE/ipt6.11Stewart2

THE NEVADA DIVISION OF HISTORIC PRESERVATION AND ARCHEOLOGY
201 South Fall Street — Nye Building — Room 113 — Carson City, Nevada 89710
MIMI RODDEN, Administrator Telephone (702) 885-5138

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES · ROLAND D. WESTERGARD, Director

ROBERT LIST
GOVERNOR

15 September, 1981

Mr. Robert Hunter, Superintendent
Western Nevada Agency,
Bureau of Indian Affairs
Building 89, Mark Twain Avenue
Stewart, Nevada 89437

Dear Mr. Hunter,

The Bureau of Indian Affairs is requesting the opinion of the State Historic Preservation Officer concerning the eligibility of the Stewart Indian School, formerly the Clear Creek Indian School, to the National Register of Historic Places. My opinion should be submitted to the Secretary of the Interior with the formal request for a Determination of Eligibility on this property.

In my opinion, the Stewart Indian School, south of Carson City, Nevada, is clearly eligible for inclusion in the National Register. Architecturally, the School contains over 50 masonry buildings built in the 1920s that exhibit a unique and distinctive style of construction and craftsmanship. By themselves, the colorful fieldstone buildings would be declared eligible to the Register. However, these structures and their many predecessors,dating from 1890, have been used to house and educate Native American youth from Nevada and the rest of the western United States. Without a doubt, The Stewart Indian School complex is associated with events that have made a significant contribution to the broad patterns of our history. At Stewart, some of the first generations of western Native Americans were educated and trained, initiating a tradition which continued through October, 1980, when the School was closed.

To summarize,I concur with the opinion of the Bureau of Indian Affairs that the Stewart Indian School should be determined eligible for inclusion in the National Register of Historic Places.

Sincerely,

Mimi Rodden, Administrator
(State Historic Preservation Officer)

jmh

RECEIVED
SEP 16 1981
Western Nevada Agency
Stewart, Nevada 89437

Recycling
Nevada's Heritage

STATEMENT OF SIGNIFICANCE - STEWART INDIAN SCHOOL

In the late 1880s, it was realized that little had been done to educate Native Americans in Nevada and many other western states. By 1884, only eight percent of the school-aged children on Indian reservations were actually receiving any type of formal education or training. Indians were not officially considered "citizens" until 1924, and public schools could refuse to educate them. As a result, institutions such as the Stewart school - originally known as the Clear Creek Indian School - were founded to provide valuable and practical education and training.

The Thirteenth Legislature of the State of Nevada established in 1887 an Indian School Commission which had the primary goal of developing an Indian School in Ormsby (now Carson City) County. The Commission, using a $10,000 bond issue, purchased 240 acres of land three miles south of Carson City. On this site, a large, Victorian-style dormitory and school was built in 1889 to board the students, who came from various tribes, including the Washo , Paiutes and Shoshone. The school, unique in the State of Nevada, officially opened in January, 1891. It was to become one of only five Bureau of Indian Affairs-funded schools in the West. Senator William Stewart, who had lobbied in Washington, D.C. for the school, obtained the superintendency of Stewart for W.D.C. Gibson, Indian Agent of Nevada. Gibson was responsible for the planting of poplars and cottonwoods which would later make the Stewart campus a statewide showcase.

The initial enrollment was 91 students. Although this figure fluctuated, the school generally taught two hundred students per year. The curriculum included both scholastic and vocational training. Education was primarily oriented toward acculturation of the Native American into the dominant White culture. The curriculum included courses in basic reading, arithmetic, music,history, and nature study. Additionally, more obscure topics such as interest, profit and loss, taxes, bills, mental problems and table manners were studied.Native American studies included lessons on the history, customs, languages and locations of various Indian tribes. "Domestic sciences" were emphasized for girls, while vocational training in all areas were available for boys.

Between 1891 and the late 1920s, the school was run in a military manner, with organized drills and military-like uniforms. Designed for discipline, it was thought that the pupils would benefit by having a self-government structure based on a merit and rank advancement system. By 1925, the Indian School Commission had been reorganized as the Carson Indian Agency, which had jurisdiction over the school. The educational system was expanded and improved, and by 1944, over 500 students attended the boarding institution. Over half of these came from the Carson area, although other students came from California, Oregon, Idaho, Utah, and the Western Shoshone jurisdiction of Nevada.

The school had expanded greatly since the early beginnings in 1889-91. Many of the early frame structures served multiple uses as dormitory space, classrooms, recreational facilities, and administrative offices. During the administration of Frederick Snyder (1919-1934), an attempt was made to decentralize the campus activities, thus allowing classrooms, dormitories, and administrative facilities to be located throughout the 240 acre campus.

Frederick Snyder, born of German parents in Albany, New York, dedicated his life to the cause of Native Americans. Immediately upon graduation from college, he began working and teaching in reservations in the West. He eventuall became Superintendent of Indian Affairs in Arizona in 1913. Moving to Stewart in 1919, he was to make a profound statement at the school.

Under his direction, many masonry buildings, mostly one-story, were built beginning in the early 1920s. Impressed by the intense coloration of local stone, he directed that the brilliantly-colored materials be used in the construction of many buildings on the campus. The rough-textured stones, primarily red, orange and beige, were laid in random courses, always emphasizing the particular shapes of the stones. For two years, stones, including many minerals, were gathered. Snyder employed expert masons who, in turn, taught the craft to the Indian students. Although there is no evidence that Snyder studied architecture, the Beaux-Arts formalism evident in each of the major buildings demonstrates a sensitivity and skill that suggests this education. Balance and symmetry are combined with harmony of scale, design, and classical detailing, to produce a unique, distinct style of architecture.

The continuity of Snyder's approach to the Stewart ensemble lasted for almost twenty years and fifty structures. Various subtleties, derived from changes in construction methods and fenestration, are often the only clues to the dates of these buildings. Although declared siesmically unsafe, a move which precipitated the closing of the school, many of the structures appear as if they were new. The use of sophisticated footings had obviated many effects produced by settling. Many buildings have no discernible stress or shear damage on the interior ,exterior, or foundation walls. Due to the dry climate, deterioration of exposed wood on these buildings is minimal.

Several "non-historic" buildings occupy the site. These include several 1940s small houses, two post-1960 dormitories, and a 1973 gymnasium. The most obtrusive is a multi-story, brick, glass, and panel structure, which is out of scale and oblivious to its context. The other dormitory is later in date and horizontal in character. The material is primarily brick and the building is partially shielded by a wall of mature trees and its siting at the south end of the complex. The gymnasium, though massive, was sensitively sited and then sheathed in aggregate panels of the same native stone that is found in the earlier buildings.

There are currently 107 structures of various types, sizes, materials and configurations left at the site.

September 9, 1981

The Honorable Robert List
Governor of the State of Nevada
Capital Complex
Carson City, Nevada 89701

Re: Clarification of State Interest:
Stewart Indian School

Dear Sir:

The purpose of this correspondence is to once again request the clarification from your office on the position of the State of Nevada with regard to the proposed title transfer of the Stewart Ranch Properties (excluding the school complex) into trust for the Washoe Tribe of Nevada and California.

My August 7, 1981 letter to you outlined the perspective of the Tribe's effort. To this point that effort has halted until the interests of the State are clearly defined. To date, I have been applying my efforts in gaining that determination of interest from your office. A brief summary of those efforts is attached. As of this date, no substantial progress towards that end exists.

My greatest concern is the impact of that interest upon the effort of the Tribe to fulfill the title transfer of the ranch lands on behalf of the Washoe Tribe.

In briefing the Nevada Delegation on the afternoon of September 3rd, each party expressed a particular interest in the circumstances surrounding the delay of the Tribe's effort. My understanding, in discussions with Mr. Ed Futch, is that the concern of the Tribe with regard to this specific issue was brought to your attention.

The results of the September 3rd meeting were that specific points were determined for the Tribe to address and overcome before the final necessary steps can be taken to complete the transfer procedure. These steps are as follows:

1. A letter from your office to the Washoe Tribe stating that the efforts of the Tribe would not be adverse to

the welfare of the State of Nevada and;

2. No opposition to that effort will eminate from the Governor's office.

I am awaiting your response and would like to point out that time is of the upmost importance. I will pledge my cooperation in providing further clarification of this request and will continue to work with you in this issue and other concerns you have.

Respectfully,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosure

cc: Senator Paul Laxalt
Senator Howard W. Cannon
Congressman James Santini

Contact made in efforts to gain State interest and clarification pertaining to the efforts of the Washoe Tribe to gain title to the Stewart Ranch Lands.

MEETINGS

DATE	PRESENT
July 16, 1981	State Senator Lawrence Jacobson Washoe Tribal Council Bureau of Indian Affairs Inter-Tribal Council of Nevada Executive Board
July 21, 1981	See following attachment
July 31, 1981	Washoe Tribe State Planning Coordinator
August 11, 1981	Washoe Tribe Mr. Wm. Phillips Mr. J. Wm. Sparbell

CORRESPONDENCE

DATE	PARTIES
July 16, 1981	Washoe Tribe State Planning Coordinator's office
July 27, 1981	Washoe Tribe State Planning Coordinator's office
August 5, 1981	Washoe Tribe
August 7, 1981	Washoe Tribe Governor Robert List

Following the August 11, 1981 meeting with Mr. Phillips, numerous attempts to gain a response to the concerns of the Washoe Tribe have been made by telephone to Mr. Phillips' office with no substantial response or clarification resulting to this date.

July 21, 1982

Bill Berning	Department of Prisons
Jac R. Shaw	Division of State Land
Bob Erickson	Legislative Counsel
Elwood Mose	Indian Commission
Bob Hunter	Western Nevada Agency Bureau of Indian Affairs
Janet B. Allen	Western Nevada Agency Bureau of Indian Affairs
Peter Sferrazza	Attorney Washoe Tribe of NV & CA
Judy Maltucci	Legislative Counsel Bureau
Alice M. Becker for Mimi Rodden	Division of Historic Preservation and Archeology
Brian Wallace	Planner Washoe Tribe of NV & CA
Robert L. Frank	Chairman Washoe Tribe of NV & CA
Senator Lawrence Jacobsen	Minden, Nevada
R.E. Baker	State Public Works Board
Perry Comeaux	Department of Prisons
John Sparbel	State Planning Coordinator
Steve Robinson	Department of Energy

The State of Nevada
Executive Chamber

Robert List
Governor

Capitol Complex
Carson City, Nevada 89710

August 11, 1981

Mr. Robert L. Frank
Chairman
Washoe Tribe of Nevada
Route 2, Box 68
Gardnerville, Nevada 89410

Dear Mr. Frank:

This is to acknowledge receipt of your letter addressed to Governor List, concerning the future of the Stewart Indian School Facility.

Let me assure you that the State does desire to cooperate with all entities interested in the facility's future uses. In fact, a meeting was held between representatives of the State and Indian Tribe, but frankly it was less than successful due to what some of those attending attributed to a hostile attitude on the part of some of the attendees. I am optimistic, however, that any differences can be put aside in a spirit of cooperation.

As you know, State Planning Coordinator John Sparbel currently is attempting to get a reading from various State agencies regarding possible uses for the facility. At this time, it is not possible to say precisely what facilities at the school may be needed.

I have forwarded a copy of your letter to Mr. Sparbel and requested that he contact you to discuss this issue.

Sincerely,

Bill Phillips

BILL PHILLIPS
Executive Assistant

cc: John Sparbel

Washoe Tribe of Nevada and California

Highway 395 South, Gardnerville, Nevada 89410
702 / 782-5191 702 / 883-1446 702 / 885-5505

WASHOE TRIBAL COUNCIL MEMBERS

Chairman
ROBERT L. FRANK
(Reno Sparks)

Vice-Chairman
JEAN DEXTER
(Carson Colony)

CATHERINE FILLMORE
(Carson Colony)

BEVERLY FRANK
(Woodfords)

EUGENE FRANK
(Dresslerville)

ROMAINE SMOKEY, SR.
(Dresslerville)

WAYNE ENOOKS
(Ott Reservation)

CLAUDIA ANN WADE
(Woodfords)

VERNON WYATT
(Ott Reservation)

Secretary - Treasurer
CLARE L. SMOKEY
(Appointed)

August 7, 1981

Mail Address:
RT. 2, BOX 6
GARDNERVILLE, NEV

Tribal Manager
LEON JACOB

Governor Robert List
State Capitol
Carson City, Nevada 89701

Dear Governor List:

The purpose of this letter is to seek clarification of issues relating to the Stewart Indian School.

As you are aware, the Bureau of Indian Affairs closed the school in September, 1980. Since that time, both the State of Nevada and Nevada Indian Tribes have expressed an interest in utilizing the Stewart Lands for a variety of purposes.

In your letter to Interior Secretary Watt, you outlined those purposes for which the State envisions utilizing the "Stewart Indian School Facilit I would appreciate clarification of whether your interest is limited to th school campus itself or in the other parcels as well, which collectively comprise the Stewart Lands. A map is attached which identifies the Stewar properties with the school facility shown in a shaded area.

The primary interest of the Washoe Tribe is in the non-school parcels whic have value primarily related to agriculture. We believe that the Tribe's overall goal of achieving economic self-sufficiency can be greatly enhanced by acquiring these parcels into trust status, thereby complementi our existing Washoe Ranch operation. Accordingly, we initiated a request to the Nevada Congressional delegation for legislative support in completi that transfer. At the present time it appears that such a transfer can be accomplished as soon as the issue of the extent of the State's interest is clarified.

A second major issue which is of concern relates to the use of the actual school facility. This school, founded on a site which was a part of the aboriginal lands of the Washoe Tribe, has through tradition and legislativ intent, been reserved as a place for educating and training Indians from Nevada and elsewhere. The Washoe Tribe feels an intense obligation to preserve activities which will be of benefit to Nevada's Indian population at the Stewart School. At the same time, we recognize there are significa

economic constraints connected with rehabilitation and maintenance of the facility. The Washoe Tribe believes that with your direction and leadership, a plan can be developed which would accomplish the State's interests in the facility and at the same time allow for the continuation of programs important to Nevada's Indian population.

Toward that end, we are seeking your support of a joint planning effort between the Washoe Tribe and the State of Nevada to develop a Master Plan for joint usage of the Stewart School facility. Resouce Concepts, Inc. of Carson City has prepared a proposal on behalf of the Washoe Tribe, which includes identification and analysis of State and Tribal interests prior to the actual development of a plan. We believe such an approach, involving a high degree of interfacing between State agencies and Tribal leaders through the contract consultant will result in maximum utilization of the school facility with a minimum level of conflict.

We believe your support of this process to determine effective utilization fo the Stewart School facilities can result in a harmonious and mutually beneficial relationship between the Nevada Indian Tribes and your office.

Thank you for your consideration of these issues of extreme importance to all Nevadan's. I would be pleased to meet with you or your staff to discus in more detail, the proposal as I have outlined above. We are anxious to move ahead as expeditiously as possible on this effort to both plan for and implement full utilization of the Stewart School.

Sincerely,

ROBERT L. FRANK
Chairman, Washoe Tribe of Nevada

cc: Executive Board
Inter-Tribal Council of Nevada

STATE OF NEVADA
GOVERNOR'S OFFICE OF PLANNING COORDINATION
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
(702) 885-4865

August 5, 1981

Mr. Brian Wallace
Washoe Tribe of Nevada and California
Rt. 2, Box 68
Gardnerville, NV 89410

Dear Brian:

Sorry that I missed you when you stopped by the office this morning to deliver your August 5 letter.

I tried to call you upon my return to Carson City in the afternoon but they said you were out for the day. I do have one point to clarify concerning our meeting on the 31st. You are correct in stating that, of the comments received up to that date, there was virtually no interest in the ranch properties. However, I stated that there was considerable interest in the school building campus area. This of course was based on a very limited number of agencies responses.

To bring you up to date most of the responses from agencies we contacted were received. However, as I told you on the 31st there are often stragglers and I agreed to call them on the 5th. I have now done this and hope to have the remaining comments by the end of the week.

Sincerely,

John Wm. Sparbel
State Planning Coordinator

JWS/sl

August 5, 1981

Mr. John Wm. Sparbell
State Planning Coord. Office
Capital Complex
Carson City, NV 89701

RE: Stewart School Properties, July 31, Follow-up Meeting Pertain To State Of Nevada Interest

Dear John,

I am sending you this correspondence to confirm our brief meeting Friday 31, July. It is my understanding that although apparent misunderstandings exist reguarding the plans of action agreed upon during the meeting held at the capital on July 21, 1981, that indications from you, is that up to last friday, no significant interests had been expressed by surveyed State agencies pertaining to utilization of the school facilities as well as the adjacent properties. It is also my understanding that upon Tuesday, August 4, 1981 all information should be available for review, regarding additional desires for utilization of the above mentioned facilities and properties, by other State agencies to accentuate existing avenues of service provision.

If you desire further clarification regarding this letter please contact my office.

Sincerely,

A. B. Wallace
Washoe Tribe

STATE OF NEVADA
GOVERNOR'S OFFICE OF PLANNING COORDINATION
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
(702) 885-4065

July 28, 1981

Mr. Robert L. Frank
Chairman
Washoe Tribe of Nevada and California
Highway 395 South
Gardnerville, NV 89410

Dear Bob:

I am in receipt of your letter of July 27, 1981 confirming the meeting relative to the Stewart Indian School. I generally agree with your recollection of the meeting with the following exception. I stated at the meeting that I felt a survey of the interests of State agencies could be completed in approximately two weeks from the date of the meeting. I have abided by that agreement and requested responses from State agencies by August 4, two weeks from the meeting. Therefore, I will not be prepared to discuss this with you or Brian Wallace on July 31. As you clearly indicated in your letter, my intention after completion of the agency survey was to bring the information to the attention of the Governor's office. At that time, I am sure we will be prepared to discuss any interests or concerns that may exist with you and the others.

Sincerely,

John Wm. Sparbel
State Planning Coordinator

JWS:md

July 27, 1981

Mr. John Sparbel
State Planning Coordinator
Capitol Complex
Carson City, Nevada 89701

Dear John:

This letter is to confirm the meeting which was held on July 21, 1981, in your office. The meeting was held to inform the State of the Washoe Tribe's feelings with regard to the Stewart Indian School.

I requested from you a clarification as to what the State's interest in Stewart was. You stated you would have to survey all State Agencies to find out if there was any interest in the past. You further stated you could have the survey completed by July 31, 1981. Once the survey was completed, you stated that you would then be able to make recommendations to the Governor's office regarding the States interest in the Stewart School.

I will have Mr. Brian Wallace, of my staff, contact you on the afternoon of July 31st, to discuss the items of interest from the results of your survey of the state agencies.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

July 21, 1982

Bill Berning	Department of Prisons
Jac R. Shaw	Division of State Land
Bob Erickson	Legislative Counsel
Elwood Mose	Indian Commission
Bob Hunter	Western Nevada Agency Bureau of Indian Affairs
Janet B. Allen	Western Nevada Agency Bureau of Indian Affairs
Peter Sferrazza	Attorney Washoe Tribe of NV & CA
Judy Maltucci	Legislative Counsel Bureau
Alice M. Becker for Mimi Rodden	Division of Historic Preservation and Archeology
Brian Wallace	Planner Washoe Tribe of NV & CA
Robert L. Frank	Chairman Washoe Tribe of NV & CA
Senator Lawrence Jacobsen	Minden, Nevada
R.E. Baker	State Public Works Board
Perry Comeaux	Department of Prisons
John Sparbel	State Planning Coordinator
Steve Robinson	Department of Energy

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU
LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

ARTHUR J. PALMER, *Director*
(702) 885-5627

LEGISLATIVE COMMISSION (702) 885-56
HERT R. BARENGO, *Assemblyman, Chairman*
Arthur J. Palmer, Director, Secretary
INTERIM FINANCE COMMITTEE (702) 8
LLOYD R. LAMB, *Senator, Chairman*
Ronald W. Sparks, Senate Fiscal Analyst
William A. Bible, Assembly Fiscal Analyst

FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5
JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5
ANDREW P. GROSE, *Research Director* (702) 885-56

July 16, 1981

Mr. John Sparbel
State Planning Coordinator
Capitol Complex
Capitol Building, Second Floor
Carson City, NV 89710

Dear John:

This letter is being sent to confirm the meeting scheduled for Tuesday, July 21, 1981 at 9 a.m., between you and representatives of the Bureau of Indian Affairs, the Washoe Tribe, and the Intertribal Council, and myself concerning possible future uses for the lands upon which the Stewart Indian School is located. Today I met with representatives of these groups to gain a further understanding of the needs of these groups as they relate to the disposition of the lands of the Stewart Indian School. It was the consensus of opinion at our meeting today that before any decisions can be made, the Administration's proposals for the land and its potential uses must be aired along with a complete discussion of the Indian proposals for this land.

To facilitate the discussions, I suggest, to the extent possible, that you be prepared to discuss the following:

1. The amount of land the state is interested in obtaining;

2. The proposed or possible uses of these lands.

In return, you will note I am sending a copy of this letter to the Chairman of the Washoe Tribe, the Superintendent of the Bureau of Indian Affairs, and the Chairman of the Intertribal Council Executive Board. I would hope that these representatives are not only able to discuss the status of the Stewart Indian School at this time but also their proposals for future land use for the particular parcels in which they're interested.

I am enclosing a copy of the study that was completed by consultants for the Federal Government that reviewed the status of the Stewart Indian School and the possible remedies to the deficiencies as noted by the consultants. I hope that this will be helpful in establishing a basis for which you and the Indian representatives may begin your discussions on Tuesday.

I will be in attendance at the request of Bob Frank, Chairman of the Washoe Tribe. I look forward to the meeting and the positive results of our work together. I believe it is in the best interest of the citizens of Nevada to work for the most advantageous use of the lands and facilities of the Stewart Indian School.

Sincerely,

Senator Lawrence Jacobsen by JM

Senator Lawrence E. Jacobsen

LEJ:np
Enclosure

cc: Robert Frank, Chairman
Robert Hunter, Superintendent
Davis Gonzales, Chairman
Harold Wyatt, Vice-Chairman
Bill Phillips, Governor's Office

Bob - John Sparbel said he has not yet received the copies of all the studies that you were going to send him. Could you please bring those to the meeting on Tuesday. Thanks.

STATE OF NEVADA
GOVERNOR'S OFFICE OF PLANNING COORDINATION
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
(702) 885-4065

July 16, 1981

Mr. Robert L. Frank, Chairman
Washoe Tribal Council
Rt. 2, Box 68
Gardnerville, Nevada 89410

Dear Bob:

Thanks for the call this morning concerning your meeting with Mr. Wyatt and Senator Jacobsen.

Attached you will find a copy of a letter I sent to Mr. Wyatt confirming the July 21 meeting and outlining the reason the meeting was called.

Although we have heard from the Washoe Tribe on several occasions concerning your plans, this will provide an opportunity for the Inter-Tribal Council to make their ideas known. I am still anxious to receive the reports you indicated you had on the physical condition of the facility, etc.

Further, Brian picked up the copy of the plan the Washoe Tribe developed for the land, and I would like to have an opportunity to review that. You also indicated at the meeting with Mr. Bob Hill that you would provide letters from all surrounding property owners supporting the land transfer legislation you have had drafted.

See you July 21.

Sincerely,

John Wm Sparbel
State Planning Coordinator

STATE OF NEVADA
GOVERNOR'S OFFICE OF PLANNING COORDINATION
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
(702) 885-4865

July 16, 1981

Mr. Harold Wyatt
Executive Director
Inter-Tribal Council of Nevada
650 South Rock Boulevard, Suite 11
Reno, Nevada 89502

Dear Mr. Wyatt:

This letter is written to confirm the meeting to be held July 21 at 9:00 a.m.

As you explained in your letter, the purpose of the meeting is to allow the Inter-Tribal Council of Nevada to express its views regarding the future use of the Stewart facilities.

I have been advised that as a result of a meeting held between yourself, Mr. Bob Frank, and Senator Jacobsen on this date, several other persons have been invited to the meeting.

Please be advised that in addition to the views of the Inter-Tribal Council, I welcome any information the other people attending may have that would prove useful in the analysis of potential future uses of this property.

Sincerely,

John Wm Sparbel
State Planning Coordinator

cc: The Honorable Lawrence E. Jacobsen
Mr. Bob Frank

State of Nevada
Executive Chamber
Carson City 89710

Robert List
Governor

June 11, 1981

The Honorable James G. Watt
Secretary of the Interior
Interior Building
18th and C Streets, N.W.
Washington, D. C. 20240

Dear Secretary Watt:

Nevada is currently the fastest growing state in the nation. Accompanying this rapid growth is a commensurate increase in social problems, such as crime and delinquency, which require adequate facilities for dealing with these problems.

During recent years, Nevada has made great strides in expanding and improving a broad range of institutions necessary to cope with this increasing demand and, in addition, the 61st Nevada Legislature continued the expansion of these programs. In spite of these efforts, the demand is outstripping the ability of the State to meet the needs of important social programs. As an example, during the past four and one-half years, the prison population has doubled, and juvenile facilities at the local and State level have become extremely overcrowded.

It recently was brought to our attention that the Stewart Indian School facility, located south of Carson City, is being considered for total closure in the near future. Most of that facility has been closed since September, 1980, but a few activities, including the Western Nevada Agency, remain. Because this facility represents a substantial capital investment, it is critical that an innovative conversion be explored.

Specifically, I envision the Stewart facility being utilized for a combination of complementary uses by the corrections system, it could be used as a half-way house, restitution center, a training academy, honor camp, and juvenile residential center. Because of the facility's close proximity to the exiting Medium Security Prison, some of the ancillary services might be mutually available to these other state programs. Most importantly, recreational and educational facilities are already on site which would complement the utilization by both adult and juvenile clientele. In addition, many of these programs contribute to the maintenance of other state programs such as parks, forests, and watershed management.

The purpose of this letter is to bring to your attention the State of Nevada's interest in the Stewart Indian School facility, should it be examined for possible disposal.

Since the potential use of the Stewart School for state programs has only now been identified, it was not included in my recent report to you on Federally Owned Land Transfers Necessary to Meet Community and State Needs. In that request you asked that priorities be established for at least a few sites. I am hereby adding the Stewart property to this document. Because of the urgency of expanding the programs outlined above, exploration of the potential of this facility for conversion to state uses is a top priority of the State of Nevada.

Additionally, I am concurrently requesting your consideration of conveying the property, together with all water rights, to the state under Title 25, Section 293a of the U. S. Code. Your Solicitor's Office in Sacramento has advised my staff that this provision is a viable vehicle for transfer of the property to the state.

Your review of this request and the providing of detailed information on the actual status of the Stewart facility would be most useful so I can bring this to the attention of the Nevada Interim Finance Committee. The next meeting of the Interim Finance Committee will be held on June 24, 1981, and it would be most helpful to have your response for review at that time.

Sincerely,

ROBERT LIST
Governor

NEVADA
DEPARTMENT OF TRANSPORTATION
A. D. STOWE
Director

TRANSPORTATION BOARD
ROBERT LIST, Governor, Chairman
RICHARD H. BRYAN, Attorney General
WILSON McGOWAN, State Controller

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 SOUTH STEWART STREET
CARSON CITY, NEVADA 89712

June 11, 1981

IN REPLY REFER TO

Mr. Robert L. Frank, Chairman
Washoe Tribal Council
Route 2, Box 68
Gardnerville, Nevada 89410

Dear Mr. Frank:

Thank you for your letter of May 18 and the copy of the final draft of the Stewart Ranch Land Use Plan.

The Department has reviewed the proposal of lands to be transferred to the Washoe Tribe and have no objection to a transfer. The only lands contiguous with those of the Nevada Department of Transportation are referenced as "Silverado" by Resource Concepts in their master plan. U.S. 395 runs through the property located approximately 2.5 miles south of the junction with U.S. 50. The Department's right-of-way varies from 250 feet to 350 feet in the proposed transfer area. The width of the existing right-of-way is adequate for the present two-lane facility. However, if the highway is developed to a four-lane divided road with frontage roads there may be additional right-of-way necessary.

I hope this information has been helpful and if you have any questions, please let me know.

Sincerely,

WILLIAM L. NAGEL
Assistant Director Engineering

WLN:JHS:cc

May 18, 1981

Department of Transportation
Engineering/Planning
1263 South Stewart St.
Carson City, Nv 89701

ATTN: Mr. John Sweetland

Dear John:

Enclosed for your information is a copy of the final draft of the Stewart Ranch Land Use Plan.

On behalf of the Washoe Tribe of Nevada and California, I thank you for the support and assistance your agency has provided regarding the Washoe Tribe's efforts to gain title to the Stewart Ranch Lands.

Thank you,

Robert L. Frank
Chairman

Jean Dexter
Vice-Chairman

RLF/rd

Enclosure

April 13, 1981

Nevada Department of Wildfife
ATTN: Mr. Joseph C. Greenley
Director
PO Box 10678
Reno, Nevada 89520

Dear Joe:

This is to advise you that the Washoe Tribe of Nevada and California does not agree with the language suggested in your letter dated April 9, 1981. As I have discussed with you, we are not sure who actually has jurisdiction on the Stewart School lands. It was my understanding that we agreed that whoever had jurisdiction now would continue to have that jurisdiction.

Therefore, I offer as language to be used:

> 3. c. "Nothing in this Act shall deprive the Nevada Fish and Game Department of any legal jurisdiction which it may have to enforce the Nevada Fish and Game laws within the land described in the first section of this Act."

Please review this proposal and contact my office so we can resolve any differences that may exist.

Sincerely,

Robert L. Frank
CHAIRMAN

RLF:bf

cc: P. Sferrazza
/ Attorney

ROBERT LIST
Governor

JOSEPH C. GREENLEY
Director

1100 VALLEY ROAD P.O. BOX 10678 RENO, NEVADA 89520 TELEPHONE (702) 784-6214

April 9, 1981

Mr. Robert L. Frank, Chairman
Washoe Tribe of Nevada and California
Rt. 2, Box 68
Gardnerville, Nevada 89410

Dear Bob:

This is to advise you that the Nevada Department of Wildlife has no objection to the Master Plan for Tribal Acquisition and Land Use of the Stewart Properties provided the following subsection be added to Section 3 of the proposed legislation providing for these lands to be held in trust for the Washoe Tribe:

3. e. The State of Nevada shall retain exclusive control and authority over the management of all fish and wildlife on the lands and waters described in section 1 of this Act.

Sincerely,

Joseph C. Greenley
Director

JCG:mp

April 8, 1981

Nevada State Department of
Fish and Game
ATTN: Mr. Joe Greenley
PO Box 10678
Reno, Nevada 89520

RE: PROPOSED LEGISLATION TO TRANSFER STEWART INDIAN SCHOOL LANDS
April 8, 1981 Meeting
In attendance were Joe Greenley, Robert Frank, and
Peter Sferrazza

Dear Joe:

This is just a note to summarize our conversation held on this date with regards to who has legal jurisdiction over hunting and fishing on the Stewart Indian School lands. It is our intent that the proposed legislation to transfer the Stewart Indian School lands to the Washoe Tribe will not change the existing legal jurisdiction with respect to the regulation of hunting and fishing within these lands. Thus, if the State of Nevada has legal jurisdiction to regulate hunting and fishing within this area presently, it will continue to have jurisdiction after the adoption of the proposed legislation.

On the other hand, if the Federal Government has legal jurisdiction to regulate hunting and fishing within these lands, the Federal Government in conjunction with the Washoe Tribe will continue to have jurisdiction.

Should you need additional information in regards to this matter, please do not hesitate to call me.

Sincerely,

Robert L. Frank
CHAIRMAN

RLF:bf

LOCAL

CARSON CITY CHAMBER of COMMERCE

TELEPHONE 882-13

INDUSTRIAL DEVELOPMENT COMMITTEE

1191 SOUTH CARSON STREE
CARSON CITY, NEVADA 89

September 11, 1981

Mr. Robert L. Frank, Chairman
Washoe Tribal Council
Route 2
Box 68
Gardnerville, Nevada 89410

Dear Bob,

It was a pleasure meeting with you, your staff, and the Washoe Tribal Council, regarding Stewart School on September 4, 1981.

Upon hearing the concept you are planning with its many facets, such as a vocational and technical training center, health, youth center, solar energy, and the many other aspects of the project, we wholeheartedly endorse this project.

We feel industry in Nevada would do the same, as we are in need of skilled and well-trained people.

You can count on our support in full.

Sincerely,

STEVE BILYEU,
President

PETER J. SPAK,
Chairman

PJS/dn

May 5, 1981

Douglas County Planning Department
ATTN: Mr. Andrew Burnham
Director
P.O. Box 218
Minden, Nv 89423

Dear Andy:

Enclosed for your information is a copy of the final draft of the Stewart Ranch Land Use Plan.

On behalf of the Washoe Tribe of Nevada and California, I thank you for the support and assistance your agency has provided regarding the Washoe Tribe's efforts to gain title to the Stewart Ranch Lands.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosure

May 5, 1981

City of Carson
Mr. Don W. Hataway
City Mangger
813 N. Carson Street
Carson City, Nv 89701

Dear Mr. Hataway:

Enclosed for your information is a copy of the final draft of the Stewart Ranch Land Use Plan.

On behalf of the Washoe Tribe of Nevada and California, I thank you for the support and assistance your agency has provided regarding the Washoe Tribe's efforts to gain title to the Stewart Ranch Lands.

Thakk you,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosure

April 20, 1981

Incline Village General Improvement District
ATTN: Mr. Kermit McMillin
General Manager
P.O. Drawer P
Incline Village, Nv 89450

Dear Mr. McMillin:

I am forwarding the Tribal Resolution for your information and files. This resolution was adopted at the regular tribal council meeting held on April 10, 1981.

We are looking forward to working with you. If you should require additional information, please feel free to contact our offices.

Sincerely,

Robert L. Fraak
CHAIRMAN

RLF:bf

Enclosure

CARSON CITY, NEVADA

March 26, 1981

Mr. Robert Frank, Chairman
Washoe Tribal Council
Route 2, Box 68
Gardnerville, NV 89410

Dear Bob:

Reference is made to the legislation that the Washoe Tribe intends to submit to the United States Congress for the purpose of transferring lands currently under the administration of the Bureau of Indian Affairs to the Tribe.

As we discussed, these lands are either in Carson City adjacent to Clear Creek and the Stewart Indian School, or in the northern part of Douglass County.

The purpose of this letter is two-fold. First, I would like to recognize the fact that our organizations have been meeting to determine if there are any areas of cooperation as they relate to water development, the use of effluent waste-water, and joint planning adjacent to Fuji Park. I feel that there are mutual areas of cooperation that would be beneficial to both parties.

Second, based on the first matter as well as the fact that I feel the administration of these lands could best be handled by a local entity, namely the Tribe, I would like to go on record, on behalf of the City, in support of this proposed transfer.

If I can provide you with any additional information, please feel free to call upon me.

Sincerely yours,

Don W. Hataway

Don W. Hataway
City Manager

DWH/js

cc: Board of Supervisors

813 N. CARSON ST. - CARSON CITY, NV. 89701 - (702) 882-5111

PLANNING
DEPARTMENT

ANDREW BURNHAM
Director
(702) 782-5176

March 31, 1981

Bob Frank
Washoe Tribe
Route 2, Box 68
Gardnerville, NV 89410

RE: Plans for Stewart Properties

Dear Bob:

Thank you for the opportunity to review the Stewart property plans with your consultants from Resource Concepts and Brian Wallace, Tribal Program Planner.

Generally, the various components of the plan will be very compatible with the county's plans.

The provision of utilizing effluent from Incline Village for irrigation on the large farm parcel is noteworthy since the county strives to maintain and expand agriculture in the Carson Valley. The county is currently studying the potential use of Incline's effluent, as well as the other sewer entities effluent within the valley, to create a new agricultural area east of the county airport. Our information to date is positive, but more information and study is necessary. We will keep you advised as to our progress.

Douglas County is supportive of the Washoe Tribe's agressive planning approach to the Stewart lands and use of the property.

If you need any further information or if my office can be of any help, please let me know.

Sincerely,

Andrew R. Burnham
Planning Director

ARB:lm

cc: Mike Baughman
Resource Concepts

97-158 O - 82 - 17

PRIVATE

Corpus Christi Church
Snyder Avenue (Stewart)
P.O. Box 824
Carson City, Nevada 89701
(702) 882-1967

12/7/81

Dear Bob, Greetings + very best wishes, once again I have been "slowed-up" through high Blood Pressure + a flare-up of my diabetes. I'm going to Reno to-day to have tests taken tomorrow. I guess when one gets on in years we can only expect all these things to torment us!!!

I am enclosing a copy of Bishop McFarland's letter to Secretary Watt endorsing your proposal for the Indian School + the reply received! We have a large number of people backing that plan.

I look forward to meeting you in the very near future when I regain my strength + energy.

May the Good Lord keep you in His love + care.

Sincerely
Father James J. McGrath
J.M.C.

Diocese of Reno - Las Vegas
515 COURT STREET - P. O. BOX 1211
RENO, NEVADA 89504

THE CHANCERY

(702) 329-9274

October 29, 1981

Honorable James Watt
Secretary of the Interior
Interior Department
Main Interior Building
Washington, D. C. 20240

Dear Secretary Watt:

To my knowledge, two major proposals have been made concerning the future use of Stewart Indian School complex, Stewart, Nevada, which facility has recently been closed. One is the proposal by the State of Nevada to use the site for prison purposes; the other is the proposal by the Inter-Tribal Council of Nevada and the Washoe Tribe of Nevada and California to use the school complex as a vocational-technical institute, with additional complimentary programs (cultural center, youth hostel, health center, et al.).

Having studied the latter plan in detail, and based on its intrinsic merits, I am convinced that the priority need greatly favors its acceptance and implementation, and that a vocational-technical institute is the best possible use of the Stewart facility.

An additional consideration that prompts my intervention is that the Catholic Church in Nevada has for the past 32 years maintained Corpus Christi Church, situated across the street from the Stewart Indian School, as an active parish also serving the religious education needs of the former students. We are currently attempting to acquire the property on which the church and other facilities sit, so that a continuing church/school effort can be solidified in the Stewart area. The proposal for a vocational-technical institute is much more compatible with our own plans and capacity to be of maximum service. During the past two years alone, we have made improvements on the property of nearly $100,000.

Thanking you for your kind consideration of this intervention, I am

Sincerely yours,

+ Norman F. McFarland

NFMcF:kit

Most Reverend Norman F. McFarland
Bishop of Reno-Las Vegas

July 23, 1981

Father James McGrath
Corpus Christi Catholic Church
P.O. Box 824
Carson City, Nv 89701

Re: Land description of Proposed Catholic Education Center

Dear Father:

Enclosed is the legal description of the 5 acre parcel for the proposed catholic education facility. Please examine the description to see if it is satisfactory and acceptable to you.

Following a number of discussions with Church and Tribal Representatives the following criteria for mutual agreement has been determined as acceptable for Title incorporation in the legislative bill that the Washoe Tribe is currently introducing to Congress.

A. Clarification of the First Amendment, separation of Church and State, and whether a transfer of title status is even feasible. Mr. Walsh assured the Tribe that he would research this area.

B. Acceptability of the reversionary clause in favor of the Washoe Tribe in the event that the Corpus Christi Catholic Church ceases to utilize the land for religious and educational purposes.

C. That the Church provides documented cost/analysis of such a proposed education facility, given need and feasibility of such an endeavor, or in brief, the basic conceptual plan of the proposed facility. It is the Washoe Tribe's feeling that considerable effort and expense has been applied to the proposed Act and the development of the

documentation to substantiate it. It is felt that this is a just request and that the Corpus Christi Catholic Church must also be compelled to substantiate their claims in the event of scrutinization of any particular element of the proposed Act. Assurances have been made on behalf of the Church to provide such information and it is perceived that prepared with such information, the Washoe Tribe can more accurately justify the Act as a whole.

D. That the Corpus Christi Catholic Church, on behalf of the Washoe Tribe, will sponsor future proposals or programs presented before the Church's Campaign for Human Development hearings.

Your immediate response will be greatly appreciated. Please contact my office if you wish to clarify any areas of interest.

Sincerely,

ROBERT L. FRANK
TRIBAL CHAIRMAN

BY: _____
Beverly J. Frank
Administrative Secretary

Enclosure

CATHOLIC CHURCH - 5 AC.

A parcel of land in the SE¼ of Section 32 T 15 N R 20 E MDM containing 5 acres more or less and being more particularly described as follows:

Commencing at the SE Corner of Sec. 32 T 15 N R 20 E MDM thence N 37°-49'-51"W to the intersection of the northerly right-of-way line of Federal Aid Project NRS #129 with the westerly right-of-way of V&T RR (abandoned), the true point of beginning; thence N 51°-32'-00" W along the northerly right-of-way of Stewart Highway (100' wide) 942.39'; thence N 52°-48'-18"E 477.09' to the westerly right-of-way of the V&T RR (abandoned); thence S22°-15'-00"E 945.00 feet to the point of beginning.

July 1, 1981

Father James McGrath
Corpus Christi Church
P.O. Box 824
Carson City, Nv 89701

Dear Father McGrath:

During a special Washoe Tribal Council meeting held on June 29, 1981, the Washoe Tribal Council approved the request from the Corpus Christi Church for a five acre parcel located at Stewart, Nevada. The Washoe Tribal Council's approval included the following:

1. In the event the Catholic Church is not able to gain title due to the question regarding the First Amendment, the Washoe Tribe will include the requested parcel in the Tribe's land request.

2. If the Catholic Church is able to gain title to the five acre parcel, the title will include a reversionary clause. The reversionary clause will be in the event the Catholic Church ceases to utilize the five acres for church purposes the land will revert to the Washoe Tribe.

3. The Catholic Church will support the Washoe Tribe's efforts to have the Stewart Properties taken into trust for the Washoe Tribe of Nevada and California.

I have contacted the Bureau of Indian Affairs regarding the surveying that they have completed. A legal description will be supplied for the five acre parcel. As soon as I receive the legal description, I will furnish you with a copy for your review.

If I can be of any further assistance regarding this matter, please contact my office.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

Corpus Christi Church
Snyder Avenue (Stewart)
P.O. Box 824
Carson City, Nevada 89701 (702) 882-1967

June 9, 1981

Mr. Robert Frank
Washoe Tribe
Gardnerville, Nevada 89410

Dear Mr. Frank:

Corpus Christi Catholic Church, Stewart, Nevada, is pleased to support the Washoe Tribe in proposing an Act to Congress, "To provide for certain lands to be held in trust for the Washoe Tribe of Nevada and California to be considered to be part of the Washoe Indian Reservation." It is our understanding that this proposal is supported by all other Indian tribes.

Corpus Christi Church was originally established primarily to serve the Indian student body and Indian community at Stewart, and it has done so for over thirty years. In order to accomplish this mission, substantial improvements have been made including the construction of the church, the rectory for the priests' residence and a parish hall. Since the closure of the Stewart Indian School, the church continues to serve Indians as well as non-Indians on an increasing scale.

The closure of the school and the proposed Act of Congress leaves the status of the church and its future development uncertain. We propose to resolve these questions by requesting that the church be included in the Act and the Catholic Diocese of Reno Las Vegas be granted title to 5.2 acres of land. The land so acquired would allow for the present uses and the future development of a school. We enclose a description of the land and the future use would be limited to a church, rectory, parish hall, school and related religious activities. As in the past, we intend to serve all races without discrimination.

Corpus Christi Church
Snyder Avenue (Stewart)
P.O. Box 824
Carson City, Nevada 89701 (702) 882-1967

We do not now have the funds to develop the school, but we anticipate a long range fund raising drive in the future when it appears that the development of a school would be feasible. Included in the development would be the school building, convent for teaching nuns, athletic field and parking areas. The described 5.2 acres should meet the land requirements for these purposes.

The property, with the present church, rectory and hall on it, would serve little purpose except as a church and the ground around the church that we seek for future church and school purposes is currently an undeveloped sagebrush area.

We will be happy to answer any questions you may have.

Very truly yours,

The Rev. James J. McGrath S.M.C.

Rev. James J. McGrath
Corpus Christi Church

encl.

Laxalt & Berry
ATTORNEYS AT LAW

PETER D. LAXALT
ROBERT GAYNOR BERRY

June 2, 1981

RENO OFFICE:
457 COURT STREET
RENO, NEVADA 89501
P.O. BOX 3578
TELEPHONE (702) 329-1318

CARSON CITY OFFICE:
412 NORTH DIVISION STREET
CARSON CITY, NEVADA 89701
P.O. BOX 2416
TELEPHONE (702) 883-0800

Reply to Reno

Robert L. Frank
Chairman
Washoe Tribal Council
Route Two, Box 68
Gardnerville, Nevada 89410

Dear Mr. Frank:

It was a pleasure to meet with you and Brian Wallace to discuss your "Master Plan" for acquisition and land use concerning the Stewart/Carson Valley lands.

I have been authorized by Mr. and Mrs. John J. Ascuaga and Double JA Land and Livestock to state to you their support of your plan of acquisition. Certainly, as time passes and there are "trials and errors" in day-by-day operations, the plan may require refinement and changes. We would hope to cooperate with you in such advice as we can give to implement a compatible plan and such changes as may be necessary.

As your neighbors, we would like to look forward to a continuing day-by-day dialogue in meeting our mutual goals. From our point of view, ownership and operation of the lands by a locally-controlled entity such as you is would be infinitely superior to dealing with the federal bureaucracy.

If you desire further information or statements, please let us know.

Good luck in your endeavors.

Sincerely,

PETER D. LAXALT

PDL/rr
cc: John Ascuaga P/C

Laxalt & Berry
ATTORNEYS AT LAW

PETER D. LAXALT
ROBERT GAYNOR B RAY

May 13, 1981

RENO OFFICE:
487 COURT STREET
RENO, NEVADA 89501
P.O. BOX 3578
TELEPHONE (702) 329-1318

CARSON CITY OFFICE:
412 NORTH DIVISION STREET
CARSON CITY, NEVADA 89701
P.O. BOX 2410
TELEPHONE (702) 883-0850

Reply to Reno

Mr. Bob Frank
Executive Director
Washoe Tribe
Route Two
Box 68
Gardnerville, Nevada 89410

Dear Bob:

As you are probably aware, the undersigned represents Harvey Gross and Harvey's James Canyon Ranch.

It is our understanding that you desire a letter from Harvey to our congressional delegation endorsing your acquisition of certain lands adjoining his and your proposed plan.

Harvey has no objection to doing so. (After all, he is an honorary member of your tribe). However, before he sends it, he would really like more information as to your plan of operation. If you could sit down with me, Bob, in Harvey's absence (he has returned to the desert), I would appreciate it. I'll then relay it to him and we'll get the letter drafted. Let me know when and where might be convenient.

Sincerely,

PETER D. LAXALT

PDL/rr
cc: Harvey A. Gross

May 5, 1981

Mr. Theodore H. Stokes
400 West King Street, Suite 404
P.O. Box 2440
Carson City, Nv 89701

Dear Mr. Stokes:

Enclosed for your information is a copy of the final draft of the Stewart Ranch Land Use Plan.

On behalf of the Washoe Tribe of Nevada and California, I thank you for the support and assistance you have provided regarding the Washoe Tribe's effort to gain title to the Stewart Ranch Lands.

Thank you,

Robert L. Frank
CHAIRMAN

RLF:bf

Enclosure

April 24, 1981

Mr. Harvey Cross
P. O. Box 128
Stateline, Nv 89449

Re: Stewart Indian School Ranch Land Aquisition on the Behalf of the Washoe Tribe of Nevada and California

Dear Mr. Cross:

In the early summer of 1980, the Bureau of Indian Affairs announced its intentions to close the Stewart Indian School. Closure of the facility was accomplished in September 1980.

The Washoe Tribe of Nevada and California in attemps to become immune to federal cutbacks in grant and contract dollars, leased all lands associated with the Stewart Indian School, excludigg the actual school grounds. The immediate purpose of the Tribe's leasing the lands was to increase its agricultural production capabilities. Use of the Stewart lands for agricultural purposes was felt to be economically advantageous and complimentary to the existing ranching operations of the Tribe. The best method, in the interest of the Tribe, is the expansion of the Tribe's land base.

To facilitate economic independence, and social and cultural enhancement of the tribal members, the Washoe Tribal Council is requesting that those lands associated with the Stewart Indian School be acquired into trust for the Washoe Tribe. Recognizing that this process requires detailed testimony and supportive documentation be provided to the U.S. Dongress, the Tribe has developed a master plan of use for lands associated with Stewart Indian School. The intent of this master plan is to document the validity of Washoe claims and the viability of Washoe ownership of lands associated with Stewart Indian School.

Conversations with the Nevada congressional delegation indicate the Washoe Tribe would be required to meet several conditions before the delegation would introduce a bill for consideration. Those conditions included meeting with adjacent landowners to identify and resolve their concerns, meeting with officials from Carson City to discuss that city's needs relative to waters in Clear

Creek, gaining support of all other Tribes in Nevada through the Inter-Tribal Council of Nevada, and the preparation of the document.

Pursuant to completing the report, adjacent landowners were identified. Initial meetings were set up to review the Washoe Tribe's intentions relative to drafting legislation and completing the report. Any concerns by adjacent owners were noted and attempts were made to address concerns in the planning process. Follow up meetings were then held to present the results of the Tribe's planning efforts.

All individuals and entities contacted were asked to submit letters indicating they had reviewed the Washoe Tribe's plans. It should be noted that this master plan of land use is concerned with land formerly associated with the Stewart School, but not the school facilities and grounds proper.

In our efforts to solicit comment from all pertinent owners and jurisdictions the Tribe has since compiled these comments and have addressed them in the most reasonable manner possible, to the mutual interests of both parties.

However, in our attempts to apply this effort in your case, we have, up until now, experienced difficulties in having an opportunity to review our plans and gain insight from you as to the impact, be they direct or indirect.

The proposed uses for lands adjoining your property have been identified as increased hay land and improved range activity, through the improvement of existing irrigation system and the proposed use of affluent.

In completing the condisions spelled out earlier it is hoped that upon your satisfaction with the effort on the part of the Washoe Tribe, that you could supply us with a letter of support, at which time our package will be complete and ready for gongressional submissions At the time of the composition of this letter the final document is now being printed, after which all individuals contacted will be forwarded a copy of the bill and accompanying report. It is our wish that upon reviewing this letter, you will contact us as soon as possible to further carry out of effort.

Time as of the utmost importance, I would appreciate a telephone call from you after you have read this letter. Our office numbers are (702) 782-5191 or 883-1446. In the event, you would need additional information, please feel free to call our offices.

Sincerely,

Robert L. Frank
CHAIRMAN, WASHOE TRIBE

RLF:bf

SETTELMEYER RANCHES, INC.
Arnold Settelmeyer
Route 3 Box 330
Minden, Nevada 89423

April 9, 1981

Mr. Bob Frank
Washoe Tribe of Nevada and California
Rt. 2, Box 68
Gardnerville, Nevada 89410

Dear Bob:

This letter is in support of the Washoe Tribe's effort to acquire title to the Stewart Indian School Ranch.

Being a ranching neighbor to both the Stewart School Ranch and the present tribal ranches, I can testify to the aggressive and improved managerial ability of the Tribe.

The new improvements on the ranches, the two modern tractors I see putting in ten-hour days, and the excellent plan prepared for the use of the school ranch are evidence of the vitality of the Tribe.

The combination of both ranches into one unit will be an asset to the Tribe, the County, and the State. I believe that the ranches will be self supporting. The use of Incline General Improvement District affluent would be beneficial to the ranch and would also help clean up the Carson River.

If there is any way in which I might help you with your effort, please contact me.

Incidentally, I would like to take this opportunity to express, as a member of the Douglas County School District Board of Trustees, appreciation for the excellent relationship between the School District and the Washoe Tribe. I know that my fellow Board Members, as well as District Administrators, are also very pleased with this relationship that we enjoy.

Sincerely,

Arnold Settelmeyer

Arnold Settelmeyer

LAW OFFICES
THEODORE H. STOKES, LTD.
AREA CODE 702-882-3183
400 WEST KING STREET, SUITE 404
CARSON CITY, NEVADA 89701
MAILING ADDRESS P.O. BOX DRX 24

April 6, 1981

Robert L. Frank, Chairman
Washoe Tribe of Nevada & California
Route 2, Box 68
Gardnerville, NV 89410

Dear Mr. Frank:

I met today with Gerry Emm and Tom Johnson concerning the desire of your tribe to acquire the Stewart Indian School ranch land in Carson Valley from the Bureau of Indian Affairs. I had an opportunity to review the maps setting out your intended use of the ranch land and the other parcels you hope to acquire.

My son and I have owned and operated the Cradlebaugh Ranch in Carson Valley for the last few years. We have found Gerry Emm and his group to be very good neighbors and were distressed to hear the rumor that the BIA was going to offer the Indian ranch for sale.

I am now very pleased to know that your tribe is attempting to acquire the ranch and improve its productive capacity. I have no objections whatsoever and assure you of my full cooperation in whatever I might do to assist you in acquisition of the ranch property. I have no interests in or thoughts concerning the other properties shown on your map. However, I certainly would have no objection to your plans for acquiring them.

If I can be of any assistance, please advise.

Sincerely yours,

Ted Stokes

Theodore H. Stokes

THS:vr